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No. 67.

SENATE

MONDAY, JUNE 2, 1947

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Almighty God, our Father, make us deeply aware of Thy presence in these the opening moments of another legislative week. May we bow with expectancy and hopefulness before Thee. Enable us during this brief period of devotion to dismiss our cares and worries, and to pour out our souls in supplication and praise to Thee. For the blessings that are so evident to each of us, we give Thee hearty thanks, and for those provisions of Thy hand that we do not commonly acknowledge, we lift our hearts in thanksgiving.

We bow in contrition before Thee and make bold to acknowledge our own evil nature. Misfortune, disaster and pain have caused our hearts to grow cold, rigid and arrogant. May the influence of Thy Spirit restrain all hatred, dislodge all unworthy motive and make us humble to do Thy Holy Will. Through Christ our Lord, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WADE, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Allegheny, Mr. Walker, to preside.

The PRESIDING OFFICER (John M. Walker)
in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 87, PRINTER'S No. 243

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 87, Printer's No. 243, entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled 'An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' permitting certain State employes who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 364, PRINTER'S No. 130

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 364, Printer's No. 130, entitled "An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 453, PRINTER'S No. 160

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 453, Printer's No. 160, entitled "An Act to amend section fourteen of Article XIX of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled 'An act for the better government of cities of the first class of the Commonwealth' by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 601,
PRINTER'S No. 284

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 601, Printer's No. 284, entitled "An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled 'An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith' by further regulating barrier pillars."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 356,
PRINTER'S No. 112

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 356, Printer's No. 112, entitled "An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 2, 1947.

Mr. WADE. Mr. President, I second the motion.
The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1947.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Mildred F. Babbs, Pittsburgh, 1909 Oliver Bldg.
Mrs. Millie R. Collodi, Sharpsburg.
Mrs. Zelma E. Hoffman, Pittsburgh, 524 Bessemer Bldg.
Raymond W. Huntley, Penn Twp., North Bessemer.
Hugh H. Meenan, Brentwood.

BERKS COUNTY

Miss Dorothy Hartzell, Reading.

BRADFORD COUNTY

Mrs. Helen H. Kimmel, Athens.

DAUPHIN COUNTY

Emeric L. Bosak, Steelton.
Miss Dorothy M. Manley, Harrisburg.

JEFFERSON COUNTY

Mrs. M. M. Senior, Falls Creek.

LEHIGH COUNTY

James J. Toth, Allentown.

LUZERNE COUNTY

Miss Irene A. Jones, Wilkes-Barre.
Miss Estelle R. Klein, Wilkes-Barre.

MERCER COUNTY

Logan N. Patton, Sharon.

NORTHAMPTON COUNTY

Miss Ella M. Elias, Easton.

PHILADELPHIA COUNTY

Alfred W. Cargill, Phila., 2915 Hale St.
Miss Deso Ewell Collins, Phila., 2021 N. 25th St.
Miss Antoinette M. Fenn, Phila., 910 Girard Tr. Bldg., 1400 S. Penn Sq.
Sidney Malet, Phila., 1223 Bankers Securities Bldg.
Benjamin Pollin, Phila., 1356-58 W. Girard Ave.
Edward B. Rosenberg, Phila., 3653 Germantown Ave.
David J. Salaman, Phila., 3653 Germantown Ave.
J. C. White, Phila., 1613 N. Allison St.

WASHINGTON COUNTY

John B. Brown, Charleroi.
Miss Indamae Cain, Washington.
James H. Findley, Washington.
Miss Helen Nelan, Washington.

YORK COUNTY

Charles V. Monaghan, York.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. WADE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahouser,	Wagner,
Chapman,	Holland	Rosenfeld,	Watson,
Crider,	Homsher	Ruth,	Wilson,
Crowe,	Jaspan	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and gentlemen of the Senate, once again the Philadelphia Inquirer, speaking editorially as of May 31, 1947, warns us of the grave danger that will result from our failure to enact rent control legislation.

"RENT-PAYERS LOOK TO THE STATE FOR PROTECTION

"Senate acceptance of the House-approved provision permitting a 15 percent increase in rents where landlords and tenants agree on a two-year lease paves the way to speedy action on a rent control bill to replace the one expiring June 30.

"This feature of the proposed new law will make possible a widespread rise in rents, to the extent of 15 percent. More important, and more ominous, to rent-payers, however, are the indications that the bill will abolish all Federal rent controls at a date no later than next March 31.

"After that there will be no ceilings on rents whatsoever. Landlords, except where the leases provide specific amounts, can make the sky the limit.

"It may be that the members of Congress in their wisdom can be sure that by the early months of 1948 the housing crisis will be a thing of the past and that homes and apartments for rent will be so abundant and so moderately priced that there will exist no reason for rent controls and rent ceilings.

"Without benefit of crystal ball, however, the outlook is for no improvement in the housing situation to warrant such opinion. Demand for rental dwellings is so large that it is highly unlikely that the supply will be able to come within a reasonable distance of it by the end of next winter.

"If rent-payers and prospective rent-payers are left unprotected by a control law they will be wide open to large-scale gouging.

"There is a way to prevent that, even if Congress insists on cutting off controls: establishment of a State rent control law.

"New York has such a measure on the books waiting

to go into effect whenever made necessary by expiration of Federal controls. There is no reason why the citizens of Pennsylvania should not be afforded similar protection.

"The members of the Legislature cannot say that they have not been given ample warning of forthcoming abolishment of Federal rent ceilings. It is clearly their duty, while assembled at this time, to set up authority for the establishment, if and when needed, of State rent controls."

The bill now before Congress, and about to be passed, is a black-jack measure, and affords no protection to the tenant. It therefore devolves upon us, as indicated by the Philadelphia Inquirer, to set up authority for the establishment, if and when needed, of state rent controls.

By the time we adjourn, and probably for years thereafter, there is little likelihood that the housing situation will substantially improve. Are we, realizing the discomfort, chaos and violence that will attend the lifting of the rent controls or the weakening of federal controls, to stand idly by and trust to Providence that a miracle will happen and things will adjust themselves?

I say to you with all the emphasis at my command it is our duty to act now. Otherwise you will be called into special session at a cost of three to four hundred thousands dollars to enact emergency legislation for the benefit of the tenant as against the unscrupulous landlord and real estate broker.

You may generally be opposed to price fixing by the government, but it is rendered necessary by the unsavory conduct displayed by the profiteer during the past few months. O. P. A. control was lifted on many items, and notwithstanding the promises made by capital that prices will go down, what has happened. Prices have soared beyond the capacity of the common man to pay. This is a very unwholesome situation, and it will be aggravated to very serious proportions, unless we prepare ourselves to meet the onslaught of avaricious and greedy landlords.

Our people can live on less and cheaper grades of food, and it is equally true of clothing, but without a home or shelter, man can hardly exist, and especially so when he has to rear his family. Loss of homes to the common man means a complete breakdown of civilization. And this is exactly what we face in event of the removal of rent controls, especially at a time when there is a lack of housing accommodations.

New York has already passed a law to take effect when and if federal control of rents breaks down or is weakened. Why can't we do likewise? You have before you Senate Bill No. 25, introduced by me on January 29, 1947, and patterned after the New York law which was enacted by a Republican legislature and Republican Governor. May I ask: Why are we withholding action? Is the real estate lobby too strong? I do not know. Lobbies or no lobbies, our people need protection, and we, who were elected by them, owe our first allegiance to them.

You may discard my bill if you will. Have the Attorney-General prepare another.

In closing, I appeal to the Governor and the Legislature to pass emergency rent-control legislation.

REPORT FROM COMMITTEE

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing the salary of the chairman of the Pennsylvania State Board of Censors.

BILLS INTRODUCED AND REFERRED

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1784), entitled "An act concerning newspapers; creating uniformity in the publication of legal notices and advertisements; defining the newspapers in which official and legal advertising shall be published; prescribing methods for computing the charges therefor, and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntary suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

Which was committed to the Committee on Judiciary General.

Mr. DONLAN read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act to amend the title of chapter nine and to add section two hundred fifteen to said chapter of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," making it illegal to transport game-fish with their heads removed; and providing penalties.

Which was committed to the Committee on Forest and Waters, Game and Fish.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 825, entitled:

An Act to further amend the first paragraph of section twelve of the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," further providing for the registration of owners of barber shops.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

Which was committed to the Committee on Labor and Industry.

Mr. FRAZIER. Mr. President, that which I am about to do is a source of great joy to me. I am very happy indeed that I am permitted to be the instrumentality to present two bills which I shall offer, one today and one tomorrow.

I feel that I stand close enough to the Republican leadership in Philadelphia to be cognizant of their thoughts and feelings, and never during the entire discussion of the raise in teachers' salaries have either Mr. Harris or the City Fathers been anything but entirely sympathetic with the desire for an increase.

They were, however, vitally and highly concerned as to the methods of producing the necessary funds. They not only must have in their minds the interests of the school teachers, but must also be preeminently concerned for the owners of over five hundred thousand pieces of real estate in Philadelphia. They felt, and I think correctly, that it was economically unsound to burden Philadelphia property owners with any additional real estate taxes at the present time. It has been axiomatic that whenever more money was needed, "let us put it on real estate." Therefore, when it was suggested that the necessary money, probably aggregating \$6,000,000, should be raised by a tax of one and one-half mills on real estate, Mr. Harris expressed himself as definitely opposed to any such taxation. This statement was made advisedly and with no thought of running out on the city's obligation to take care of the teachers, because there was a dual obligation.

Mr. President, I am most happy to say to all Philadelphians that in a conference with the Governor last week, a means of raising the money was determined upon, which was satisfactory to the Governor, satisfactory to the Republican Senators of Philadelphia, who were always most anxious to help the teachers and always favorably inclined to them, and finally, I think the proposed program will meet with the approval of all the citizens of Philadelphia, because it is remarkable the number of

letters, telephone calls and personal talks which I have had with the citizens of Philadelphia who, regardless of the added financial obligation, definitely and forcefully expressed themselves as to the necessity of adequately aiding the teachers. The method of raising the money has been publicly discussed and these bills will supply the machinery. Briefly, to repeat, first, the Board of Education is to be permitted to obtain part of the money from the personal property tax, not to exceed four mills, and, second, a mercantile tax of one mill on retail sales and one-half mill on wholesale sales. I know that, generally nobody approves of added taxation, but in this most worthy cause, I believe that the method now adopted will meet with the approval of every citizen of the great city of Philadelphia.

Therefore, Mr. President, it is with great pleasure that I offer the following bill.

Mr. FRAZER read in his place and presented to the Chair Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a merchantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection; providing for the issuance of mercantile licenses upon the payment of fees therefor; imposing powers and duties on Board of Public Education, Receiver of School Taxes; School Treasurer, and School Controller in such districts; and providing penalties.

Which was committed to the Committee on Finance.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike, the Eastern Extension and the Western Extension, or any two thereof, for financing purposes under the provisions of this Act; authorizing the issuance of Turnpike revenue bonds of the Commonwealth payable solely from tolls, to pay the cost of the Eastern Extension and the Western Extension; paying the cost of the Eastern Extension, or the cost of the Western Extension, or the cost of both, and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved, or under the provisions of this Act, and which shall then be outstanding, including the payment of any redemption premiums thereon; refunding any revenue bonds, or revenue refunding bonds, heretofore issued under the provisions of this Act, including the payment of and redemption premiums thereon; authorizing the Commission to fix tolls from time to time for use of the projects so combined; providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures, and facsimile of the official seal of the Commission, upon any bonds issued under the provisions of this Act, or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike; and giving certain definitions.

Which was committed to the Committee on Highways.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States

Which was committed to the Committee on Appropriations.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 830, entitled:

An Act to further amend section seven of article two of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," authorizing the Secretary of Mines, where the need demands, to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides; and in general, making provisions thereof conform to existing law.

Which was committed to the Committee on Mines and Mining.

Mr. MALLERY. Mr. President, before introducing a bill, because of the importance of it, I would like to call to the attention of the Senate a matter which all of us realize is of the greatest importance, and that is the prevention of accidents in the Commonwealth.

This bill will create a Pennsylvania Public Safety Commission which shall be an independent administrative commission, and shall have all the powers conferred upon and perform all the duties vested in such commissions generally by the Administrative Code of 1929.

The Pennsylvania Public Safety Commission shall be composed of the Secretary of Revenue, the Secretary of Highways, the Superintendent of Public Instruction, the Secretary of Labor and Industry, the Secretary of Mines, the Chairman of the Pennsylvania Public Utility Commission, the Commissioner of the Pennsylvania State Police, or such representative from his department as he may designate in his stead, and the Director of Public Safety, hereinafter provided for. The Governor shall appoint a resident of this Commonwealth who shall be designated as the Director of Public Safety and who shall be qualified by experience in safety work and by experience in public relations technique. He shall receive such salary as the Governor may determine, not to exceed \$10,000 annually.

The duties of the Commission shall be to formulate and develop plans and methods for increased safety on the public highways, in industry and mines, on farms, in hotels, commercial establishments and other places of public assemblage, and in the home, and for preventing accidents at such places, and shall supervise the execution of such plans and methods.

I want to call particularly to the attention of the Senate that it is the express purpose and intent of this bill to supplement existing governmental safety agencies with a clearing-house of information, education and recommendations, in order that they may better carry out the functions, enforcement and improvement of safety conditions delegated to them by the laws of this Commonwealth.

Nothing in this bill shall be construed to limit the powers of any existing department, board, commission, or agency having to do with matters of safety.

I also want to call to the attention of the Senate that the most safety-minded people in the Commonwealth to-

day are our school children, because they have been made safety-conscious. Next I would say that industry has done a splendid job in promoting safety, but in the home and on the farm is where the most work and the most good can be done by such a Commission.

Mr. President, I have before me a speech made by Albert S. Goss, Master of the National Grange, before the American Medical Association, from which I would like to read a short paragraph, which is as follow:

"Now let us look at the accident rate among the farmers and those employed in industry. The accident death rate per one hundred thousand workers on farms during 1945 was 53 as compared with 19 in manufacturing industries. When it comes to less serious accidents, but those still requiring medical care, farm experience will show that most farm workers have one or more such accidents every year. Even the farm children are exposed to innumerable hazards. In considering farm accidents we must not forget that the farmer who suffers an accident is usually far from a doctor or a hospital while most industrial plants have medical service and hospitalization facilities on the premises."

This is a matter which, you will recall, was touched upon by the Governor in his inaugural address. I do hope that every member of the Senate will read the bill and aid in its passage through the Senate.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 831, entitled:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties; providing for a Director of Public Safety and defining his powers and duties; defining the scope of existing safety agencies and making an appropriation.

Which was committed to the Committee on State Government.

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 832, entitled:

A Joint Resolution proposing an amendment to article nine, sections twelve and thirteen of the Constitution of the Commonwealth of Pennsylvania, allowing accumulation of State moneys for the purpose of meeting any future expenses of the State government and removing the limitation on the amount of moneys held as necessary reserve.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. BLASS, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, June 2, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, June 9, 1947, at three o'clock, p. m., Eastern Standard Time; and when the House of Representatives adjourns this week it reconvenes on Monday, June 9, 1947 at three-thirty o'clock, p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I just heard the speech by the gentleman from Philadelphia, Senator Frazier, as he presented his mercantile tax bill for first class school districts, and I notice that his bill provides for a levy of a one-half mill tax on the wholesale mercantiler. I do not know whether he realizes what he is doing but he is playing into the hands of the wholesalers in Camden, New Jersey, and Dover, Delaware, the same as in Pittsburgh, where we will be playing into the hands of the wholesalers of Wheeling, West Virginia, and Steubenville, Ohio.

I would be glad to support this bill if I could be sure that this mercantile tax would apply only to retailers, but we will not stand for any mercantile tax on the wholesaler because that is a tax against the local wholesaler in the districts where we reside.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, May 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ELK COUNTY

Harrison Beardsley (Republican), 301 Bridge Street, Johnsonburg, from January 1, 1947, until December 31, 1949.

C. H. Frederick (Republican), 218 Cook Avenue, Ridgway, from January 31, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

H. B. Eynon (Republican), 321 South Michael Road, St. Marys, from January 1, 1947, until December 31, 1949.

LaRue Knapp (Republican), 524 High Street, Johnsonburg, from January 31, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Veronica Thompson (Democrat), 114 South Street, Ridgway, from January 1, 1947, until December 31, 1949.

Miss Katharine A. Signor (Republican), 9 South Broad Street, Ridgway, from January 31, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

Mrs. Anna S. Smith (Republican), R. D. No. 1, Thompsonstown, from December 27, 1946, until December 31, 1948.

Jack Kyle (Republican), Mifflintown, from December 27, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Harold Kerchner (Republican), Mifflintown, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Viola Strassburger (Republican), Mifflintown from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

MONROE COUNTY

Prof. E. E. Kuntz (Republican), 181 Analomink Street, East Stroudsburg, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

George F. Stack (Democrat), R. D. No. 1, Cresco, from January 7, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Emma I. Shoesmith (Republican), 703 Thomas Street, Stroudsburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Sally Rosenkrans (Republican), East Stroudsburg, from January 31, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

TIoga COUNTY

Miss Frances Armstrong (Republican), Wellsboro, from March 8, 1946, until December 31, 1948.

Mrs. Hazel M. Parsells (Republican), Box 37, Wellsboro, from March 8, 1946, until December 31, 1947.

Raymond Miller (Republican), 23 Kings Street, Wellsboro, from March 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Stacey Spencer (Republican), Wellsboro, from January 1, 1947, until December 31, 1949.

Perley W. Lawton (Republican), 35 Water Street, Wellsboro, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Bertha Weaver (Democrat), Nelson, from February 26, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Miss Isabelle Martin (Republican), Morris Run, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Herman Colegrove, Knoxville, deceased.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ALLEGHENY COUNTY

Charles Silver (Republican), 1232 Murdoch Street, Pittsburgh, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Jerome Edlis, Pittsburgh, whose term expired.

COLUMBIA COUNTY

Dr. J. W. Biddle (Republican), Millville, from February 4, 1946, until December 31, 1948.

Mrs. Gladys Robbins (Republican), 229 Market Street, Bloomsburg, from February 4, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Rev. Gladstone P. Cooley (Republican), 1101 East Front Street, Berwick, from January 1, 1947, until December 31, 1949.

Arthur E. Arndt (Democrat), 106-A Market Street, Berwick, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Ann G. Holt Law (Republican), 156 West Fourth Street, Bloomsburg, from February 13, 1946, until Decem-

ber 31, 1947, and until her successor is duly appointed and qualified.

Frank C. Elmes (Republican), 314 East Front Street, Berwick, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Frank A. Creasy, Berwick, whose term expired.

CRAWFORD COUNTY

Rev. James M. Regester (Republican), Cambridge Springs, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Joseph Kingsley, Cambridge Springs, resigned.

FOREST COUNTY

J. Orr Carson (Republican), Clarington, to serve until December 31, 1947. (Reappointment)

Robert H. Pickens (Republican), Tionesta, to serve until December 31, 1947. (Reappointment)

Albert S. Payne (Republican), Marienville, to serve until December 31, 1948. (Reappointment)

Miss Alice N. Siggins (Republican), West Hickory, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice C. A. Weaver, Tionesta, whose term expired.

Mrs. Sarah Moore (Democrat), East Hickory, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice L. E. Moore, East Hickory, whose term expired.

Ben. T. Huggler (Republican), Marienville, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice F. F. Spencer, Trueman, whose term expired.

Waldo W. Killmer (Republican), Tionesta, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Louise E. Phillips, Endeavor, whose term expired.

FRANKLIN COUNTY

Mrs. Anna E. Evans (Republican), 128 Glen Street, Chambersburg, from February 25, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

Rev. C. M. Ankerbrand (Democrat), 104 North Potomac Street, Waynesboro, from February 25, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

INDIANA COUNTY

James H. Pease (Republican), R. D. 3, Indiana, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Joseph I. McElhoes (Democrat), R. D. 2, Home, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

R. J. Pollock (Republican), R. D., Rossiter, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Clare Marshall (Republican), Clarksburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Mary B. Rhodes (Republican), 42 South 12th Street, Indiana, to serve until December 31, 1949. (Reappointment)

JEFFERSON COUNTY

H. S. Nelson (Republican), Brockway, from May 13, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Diltz S. Gourley (Republican), 504 North Penn Street, Punxsutawney, from May 10, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

John H. B. Johnson (Republican), 134 Pine Street, Brookville, to serve until December 31, 1949. (Reappointment)

J. W. Radaker (Republican), Anita, to serve until December 31, 1949. (Reappointment)

George L. Geisler (Democrat), 510 Jackson Street, Reynoldsville, to serve until December 31, 1949. (Reappointment)

Mrs. Marjorie Davis (Republican), R. D., Brookville, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Mrs. Marian Bullers, Hazen, resigned.

MERCER COUNTY

John V. Wherry (Republican), Grove City, from March 8, 1946, until December 31, 1947.

G. G. Forquer (Republican), 251 Broad Street, Grove City, from March 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Miss Elizabeth Clarke (Democrat), 1004 Ridge Avenue, Sharpsville, from March 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

J. Arthur Loutzenhiser (Republican), 12½ Union Street, Greenville, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Leah Bachman (Republican), 1313 Hall Avenue, Sharon, from March 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Edward W. Hoagland (Republican), 226 Shenango Boulevard, Farrell, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Jane Dear, Farrell, whose term expired.

Jacob B. Goldberg (Republican), Cedar Avenue, Sharon, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Dr. Myron Murstein, Sharon, whose term expired.

MONTGOMERY COUNTY

Carl G. Lorenz (Republican), Old Spring Mill Road, Plymouth Meeting, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Rev. Lester K. Kriebel (Republican), 313 Main Street, Pennsburg, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Henry P. Friend (Republican), 1407 Oakland Boulevard, Norristown, to serve until December 31, 1949. (Reappointment)

H. Nelson Reifsnnyder (Republican), 1567 Sheridan Lane, Norristown, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

PERRY COUNTY

Mrs. Pearl McPherson (Republican), New Bloomfield, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

SOMERSET COUNTY

Charles Humbert (Republican), Confluence, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

I. G. Pickworth (Republican), R. D. No. 2, Boswell, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Bessie E. Korn (Republican), Sipesville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Sada Snyder, Stoystown, whose term expired.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MONTGOMERY COUNTY

Mrs. Florence T. Hunsberger (Republican), 205 Roberts Avenue, Glenside, from May 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

WESTMORELAND COUNTY

Dr. John D. Laughrey (Republican), Sutersville, from September 17, 1946, until December 31, 1947.

James Deal (Republican), 115 Laird Street, Greensburg, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

William F. McCabe (Republican), 1006 Pine Manor, New Kensington, from September 17, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Robert M. Withington (Republican), 173 Grant Avenue, Vandergrift, from September 17, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Sarah K. Evans (Republican), Herminie, from September 17, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

Dr. Roy M. Hoffman (Democrat), 2d and Clay Avenue, Jeannette, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Joseph Janosik (Republican), Monessen, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Dr. J. Karl Beery, Monessen, whose term expired.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

GREENE COUNTY

Carter Andrew (Democrat), R. D. 1, Nineveh, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice E. C. Cowell, Waynesburg, whose term expired.

Mrs. Esther Forler Bartholomew (Republican), Sunrise Park, Waynesburg, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice A. G. Wiley, Wind Ridge, whose term expired.

Raymond N. Patterson (Democrat), R. D. 1, Greensboro, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice William T. Moore, Waynesburg, whose term expired.

WASHINGTON COUNTY

James C. Wolf (Republican), 14 Maple Avenue, Burgettstown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice James B. Wray, Finleyville, deceased.

JAMES H. DUFF.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. KEPHART and Mr. CARR, to grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KEPHART and Mr.

STEVENSON, that the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margio,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. SNOWDEN. Mr. President, I second the motion. The motion was agreed to.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 898

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 2, 1947.

Resolved, (if the Senate concur), That House Bill No. 898, Printer's No. 321, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by permitting additional or increased appropriations by first class school districts in certain cases.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 445

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 2, 1947.

Resolved, (if the Senate concur), That House Bill No. 445, Printer's No. 447, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," requiring the Common-

wealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

HOUSE BILL No. 787 CALLED UP

Mr. TALLMAN. Mr. President, I ask unanimous consent to call up out of order, on page 12 of today's Calendar, House Bill No. 787, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 787, as follows:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under

the Commerce Clause of the Constitution of the United States Providing That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning on the day this act becomes effective and ending on the thirty-first day of May one thousand nine hundred [and forty-seven] forty-nine

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 Section ten of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 803) and by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquor Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated Provided That no expenditures from the county liquid fuels tax fund shall be made by the county commissioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And provided further That the county commissioners shall not allocate moneys from the county liquid fuels tax fund to any political subdivision within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the Department of Highways on or before the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the De-

partment of Highways a report showing the receipts and expenditures of such moneys received by the county from the Commonwealth under the provisions of this section Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any one of such reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specially appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional tax of one cent per gallon or fractional part thereof collected under the provisions of this act shall be paid into the Motor License Fund and the following amounts thereof are hereby specially appropriated for the two calendar years beginning the first day of January one thousand nine hundred [forty-six] forty-eight for the purposes and in the manner as hereinafter set forth

[Eight million five hundred thousand dollars] ten million dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

[Eight million five hundred thousand dollars] ten million dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political sub-

divisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes. Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences.

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways. In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved.

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges.

The corporate authorities of the said political subdivision shall at the time of fixing the real estate tax rate for highway road and street purposes for the calendar years one thousand nine hundred and forty-six and one thousand nine hundred and forty-seven give consideration to the anticipated revenue to be received under the provisions of this act.

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and members of the Senate, this bill comes before us at a very bad time. There are some serious amendments that should have been made to this bill. However, because of the fact that the person responsible for the introduction of this legislation evidently slipped up on the date for the introduction, or for the calling from committee of this particular piece of legislation, we are now confronted with the choice of either voting against this bill or allowing a piece of legislation to go through that we believe needs some correction.

This provides for the return of a portion of the so-called one cent emergency gasoline tax to the local municipalities, for expenditures on street maintenance, repairs and construction.

One of the things that ought to have been corrected at this session of the Legislature is the feature in the bill that provides for the return to the townships of \$10,000,000, and to the cities and other localities of \$10,000,000.

Under the terms of the Act passed in 1945 the townships receive \$93 per mile as against \$335 per mile for the cities and boroughs. Those of us who have townships in our districts can not understand the discrepancy.

However, when the amendments were presented the argument was given that this bill had to be passed or we would lose approximately \$50,000 a day in revenue.

Incidentally, Mr. President, we are losing over \$100,000 because of the negligence of the sponsor of the bill, a certain Mr. Fiss—I hope I pronounced his name right, I think I can read the spelling—I think that we ought to recognize that particular fact at this time. We are losing \$100,000 and I, for one, do not want to be responsible for losing any more revenue to the Commonwealth, and I therefore intend to ask by colleagues to vote for this piece of legislation.

However, Mr. President, I want to say at this time that early in this session of the Legislature I called attention to the fact that if we spent the entire \$250,000,000 advocated by Governor Duff in his budget message for highway construction in the next biennium, we would still have a surplus of approximately \$67,000,000 in the Highway Fund.

I can not believe that this Senate or this Legislature wants to have a surplus in the Highway Fund while our local municipalities are starved for the need of new revenue and finances.

This one cent tax will raise approximately \$35,000,000 in the next biennium. There is no logical reason that I know of for not giving the entire returns to the local communities.

We talk about raising the pay of school teachers and say that the local communities ought to contribute more towards the pay of school teachers, and yet we at every turn take from the local municipalities every cent that we can squeeze from the municipalities and make just as niggardly a return as we possibly can. We are now giving \$20,000,000 out of \$35,000,000 and yet if we gave the entire \$35,000,000, the local municipalities would be in a position to have \$15,000,000 they could easily shift to school purposes, by a reduction of taxes for the one purpose and an increase for the other. Real estate can not carry any greater burden of taxes than it now carries in the local municipalities and therefore the only method by which the local municipalities can raise money to give additional pay to school teachers in this Commonwealth is for the state to kick back to the various municipalities a greater share of the money they take from them.

We are going to have at the end of this biennium \$67,000,000, as I have already stated, surplus moneys in the Highway fund, if the Governor's budget director knows anything at all about figures. If that is true then the \$15,000,000 additional that is being raised by this one cent tax that has been made permanent by the General Assembly of Pennsylvania certainly ought to be sent back to the municipalities.

I say to you that if this would have been put in in time, it would have reached the Senate in time and we would have fought against this return going back to the municipalities on the same percentage. The Democratic party believes that the entire cent ought to be returned to the local communities in order that they may reduce

their real estate tax in this particular field, in order to have more money for local uses.

Mr. HOLLAND. Mr. President, when aid to the teachers was discussed, the Governor issued a statement stating that we were appropriating more to the teachers than any other state. However, he did not take into consideration that when local communities have to raise more taxes, those taxes, regardless of what they are intended to be used for, must come out of the same pocketbook.

In Pennsylvania today we are thirty-eighth in standing with the other forty-eight states in money returned to the local communities to defray expenses of services originating out of money collected by the state.

For instance, in Ohio one-third of the gasoline fund is returned to the local communities, twenty-five per cent of the drivers' license fees are returned to the local communities and twenty-five per cent of the owners' license fees are returned to the communities from which those taxes are collected, with the result that they are able to maintain the streets at a much lower cost to the real estate owner than in any community in the state of Pennsylvania.

For instance, Mr. President, in Pittsburgh we have 1,350 miles of streets. The amount of money returned from the gasoline fund will not pay our bill for one mile of street in the city of Pittsburgh, because we are in a hilly district and it costs considerable money to build streets in a hilly district. Therefore, the return to the city of Pittsburgh is far out of proportion to the expense the real estate taxpayer has to meet.

In addition to that, Mr. President, the Senate passed, in a war spirit, for the people to vote on a so-called innocent amendment to the Constitution, under which the gasoline tax money, or any money in the Motor Vehicle fund, can only be used for the building, maintenance of roads, bridges, and streets. We in Pittsburgh spend \$1,400,000 odd for the handling of traffic, which is becoming greater and greater. Throughout the state, local communities today are spending close to \$9,000,000 for the handling of traffic. In other words, the \$10,000,000 which you are cutting up does not begin to pay for the handling of traffic, not saying anything about the building of streets and bridges.

I say it is very unfair, and I am looking at it in a different light than my colleague from Westmoreland, Senator Dent. I believe this bill was being held back so that proper consideration, and the public was not given an opportunity to hear it debated in both the House and Senate at length but as it is it was held back too long and, I might add, we just came through a holiday period in which I was told by an Esso distributor on the highway that yesterday they sold more gasoline than they have sold for the last six weeks, in one day. In the city of Pittsburgh alone, and along the route, people were filling up their gasoline tanks, people who did not even intend to run their machines, were rushing to fill up their tanks to save the one cent, and I say that we lost thousand and thousands of dollars by this neglect.

I do not think it is fair, gentlemen, for us to go back and say to the people that we are helping to relieve the local taxpayers, when in reality what we are doing is putting more expense on them.

We are considering now another truck bill, and another truck bill means one thing, it means more trucks on the highways and more trucks on the city streets, and again I say to you that if we continue to handle the motor vehicle fund as we are handling it, we are going to continue to impose additional burdens upon the people we like to talk about around election time, the little American that buys a home of his own. We punished him during the depression and now that the depression is over, we are still punishing him by adding more taxes to his already heavily overburdened local expenses, while at the same time we are not sharing the motor vehicle fund as they are doing in forty-seven other states. West Virginia, Maryland, New York and New Jersey return a fair share of the gasoline money, without strings, to the local community in which it is collected—they return a fair share of the drivers' licenses, they return a fair share of the owners' licenses, and we do not.

This \$10,000,000 is simply a sop to try and make the people back home believe that this administration is trying to relieve the now heavily-burdened real estate owner.

Mr. TALLMAN. Mr. President, I just want to make a few brief remarks concerning this matter.

First of all may I say that the necessity for haste did not originate in this chamber.

Secondly, Mr. President, I should like to say that the statement made by the gentleman from Westmoreland, concerning the fact that there may be a surplus in the highway fund, deserves more than just passing notice, for this reason, that instead of there being a surplus in the fund which might be made available for the purposes which he suggests, it is anticipated from every fair source, and has been so stated, that all of the moneys available in the highway fund at this time will be essential and necessary for carrying out the state highway program, and it is anticipated by the Secretary of Revenue that by January 1, 1949, six months before the end of the biennium, there will be no funds available for the carrying out of the highway program, if it continues according to the program that has been set up at this time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 438, on concurrence in House amendments, recalled from the Governor, entitled:

An Act to further amend section three of, and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment, execution, assignment or transfer and payable only to the beneficiary designated

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 78, as follows:

An Act to further amend clauses (k) (s) and (y) of section four and to reenact and further amend section three hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six 1937 (P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payments of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined and for a lag between the period on which contribution rates are based and the rate period and placing experience rating on a permanent basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (k) (s) and (y) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six 1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) are hereby further amended to read as follows

Section 4 Definitions The following words and phrases

as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * *

(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Employee" as defined in subsection (y) of this section paid by an employer to all of his compensated employees during the [last three calendar years] first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contributing rate is applicable less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such [three calendar years] twelve (12) calendar quarters by the total wages paid by the employer to all his employees during such [three calendar years] twelve (12) calendar quarters Credit for reemployment previously allocated to a calendar year shall be deemed to have been allocated as of the last two calendar quarters of such calendar year

* * * * *

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such fund during the [last three completed calendar years] first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable by the total wages of all compensated employees as defined in subsection (y) of this section for such [three calendar years] twelve (12) calendar quarters such percentage to be adjusted to the nearest multiple of one per centum

* * * * *

(y) "Wages of a Compensated Employee" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employee by an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar [year] quarter in which the first compensation of the employee's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars (\$1,366) in wages which were paid to the compensated employee by any employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar [year] quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employee's weekly benefit rate

Section 2 Section three hundred one of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby reenacted and further amended to read as follows

Section 301 Contributions by Employers Experience Rating.

[(a) Each employer shall pay contributions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941

(b) Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him

or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one. Provided That notwithstanding the provisions of this section prior to the effective date of this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and Provided further That with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer had paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable. Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended. Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee.

(a) Each employer shall pay contributions with respect to the calendar year one thousand nine hundred forty-eight and each calendar year thereafter at a rate equal to two and seven-tenths per centum of wages paid by him for employment provided however that such rate shall be adjusted in accordance with the following provisions of this section if the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable.

(a.1) Except as specifically provided under section four hundred four wages paid with respect to employment performed under shipping articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee.

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred forty-eight shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to the effective date of this amendment and for these purposes such provisions shall remain in force and effect.

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of

one per centum and the maximum rate of two and seven-tenths per centum for each calendar year [commencing with the year one thousand nine hundred and forty-four] shall be determined prior to the due date of his first contribution for the year in accordance with the following table

TABLE

State Experience	Employer's Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year [commencing with the calendar year one thousand nine hundred and forty-four] shall be subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there [first] appears [a] the percentage [equal to or in excess of] nearest to the Employer's Experience. Provided That the rate of contribution of any employer whose Employer's Experience is in excess of the percentage appearing in column four on the line opposite the State Experience shall be two and seven-tenths per centum and Provided further That if the Employer's Experience of any employer computed to an infinite number of decimal places is exactly equally removed from two percentage figures which appear on the line opposite the State Experience the rate of contribution of such employer shall be the rate specified at the end of the column in which appears the higher of such two percentage figures. [If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenth per centum].

(e) No employer's rate of contribution for any calendar year [commencing with the calendar year one thousand nine hundred and forty-four] shall be less than two and seven-tenth per centum unless all his contributions due on wages paid to the end of the [third] second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December of such preceding calendar year [and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due].

(f) Safety Factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter [commencing with the calendar quarter ending the thirty-first day of March one thousand nine hundred and forty-four] the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one tenth per centum of the total wages of all employees paid during the first four of the last five computed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Employer's Rate of Contribution determined in accordance with paragraph (d)
Balance in fund

Employer's adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed					
	1%	1.5%	2.0%	2.5%	2.7%
8.1% or more					
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7
7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.0	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired. Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired.

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-five transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such successor-in-interest for transfer of the "Employer's Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer. The department may allow such transfer of "Employer's Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer's Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future "Employer's Experience" of the successor-in-interest. In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred. A transfer of "Employer's Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred.

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f). The department shall furnish each employer with a statement showing the base year wages from such employer of each of his compensated employees and the benefit year to which such wages relate. The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to

the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor. The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing. The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time.

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect. No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department. A copy of the petition shall be served on the secretary or his deputy. The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper. From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases.

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of the contributions at the rate as determined by the department. But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section.

(k) Each employer shall be given notice of the filing of applications for benefits by his former employees as provided in section five hundred one. Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employee on the grounds that he was not given sufficient or adequate notice or opportunity to be heard.

(1) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists.

(i) For purposes of determining whether or not an employer has paid contributions in each of the five calendar years immediately preceding the year for which a rate is applicable as provided in subsection (b) of this section in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable shall be deemed to have paid contributions under this act during any calendar year any part of which is included in such period of military or naval service provided that he has actually paid contributions under this act for one or more quarters in either the calendar year in which he entered such military service or in the immediately preceding calendar year.

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 78

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 78.

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Ruth,	Vatson,
Carr,	Hare,	Scarlett,	Wilson,
Chapman,	Heyburn,	Snowden,	Wolfe,
Crider,	Homsher,	Stevenson,	Wood, L. H.,
Crowe,	Kephart,	Tallman,	Wood, T. N.,
Doehla,	Letzler,	Taylor,	Walker,
Donlan,	Lord,	Tyler,	Presiding Officer

NAYS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahausen,	Woodring,
Haluska,	Lane,	Rosenfeld,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representative accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 284, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty-five of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of

the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 45 Crimes and Penalties

* * * * *

(p) Any person who shall falsely represent himself to be and falsely assume to act as a registrar agent or employe of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars (\$200) or to undergo an imprisonment of not more than six months or both in the discretion of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 284

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 284.

Mr. LORD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within six years after the effective date of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

MOTION THAT SENATE CONCUR IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 318

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 318.

Mr. STEVENSON. Mr. President, I second the motion
On the question,

Will the Senate agree to the motion?

Mr. WOODRING. Mr. President, this is a bill sponsored by the gentleman from Clinton, Senator Stevenson, and myself, and I am afraid that the amendment which has been written into the bill by the House makes the bill rather ineffective.

Therefore, Mr. President, I would suggest that we hold its concurrence over for one day, if that meets with the approval of the gentlemen on the other side.

Will the gentleman from Lehigh withdraw his motion?

MOTION WITHDRAWN

Mr. TALLMAN. Mr. President, I withdraw my motion that the Senate concur in House amendment to Senate Bill 318.

Mr. STEVENSON. Mr. President, I withdraw my seconding of the motion.

BILL OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that Senate Bill No. 318, on concurrence in House amendments go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 334, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities Authoriz-

ing authorities to charge the cost of construction lateral sewers against properties benefited improved or accommodated thereby making such charges liens providing for the enforcement thereof and authorizing authorities to charge tapping fees for sewer connections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two clause (c) of subsection B of section three subsections A and B of section four clause (a) of subsection A and subsection C of section seven subsection A of section nine sections eleven fourteen and eighteen of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" are hereby amended to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(A) The term "authority" shall mean a body politic and corporate created pursuant to this act or pursuant to the "municipality authorities act of 1935" repealed hereby

(B) The term "Board" shall mean the governing body of an authority

(C) The term "Bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which each authority is authorized to issue pursuant to section 4 (I) of this act

(D) The term "Municipal Authority" shall mean the body or board authorized by law to enact ordinances or adopt resolutions for the particular municipality

(E) The term "Construction" shall mean and include acquisition and construction and the term "to Construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(F) The term "Municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(G) The term "Federal Agency" shall mean and include the United States of America the President of the United States of America and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(H) The term "Improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

[(I) The term "persons" shall mean and include natural persons]

(J) The term "Project" shall mean any structure facility or undertaking which an authority is authorized to acquire construct improve maintain or operate under the provisions of this act

Section 3 Method of Incorporation

* * * * *

B On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

* * * * *

(c) A statement [that no other Authority] whether any other Authority has been organized under this act or under the act approved the twenty-eighth day of June

one thousand nine hundred thirty-five (P. L. 463) and is in existence in or for the incorporating municipality or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

Section 4 Purposes and Powers General A Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee projects of the following kind and character building to be devoted wholly or partially for public uses including public school buildings and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels [street] flood control projects highways parkways traffic distribution centers [traffic circles] parking spaces airports and all facilities necessary or incident thereto parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works including works for treating and disposing of industrial waste steam heating plants and distribution systems incinerator plants waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes The municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified If the municipal authorities organizing an Authority fail to specify the project or projects to be undertaken then the Authority shall be deemed to have all the powers granted by this act

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined exclusively by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obliga-

tions and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority or with any municipality served or to be served by said authority and to determine by itself exclusively the services and improvements in the areas served Provided That if the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project unless such expenditures are made for the benefit of the entire service area Any person questioning the reasonableness or uniformity of any rate fixed by any Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(i) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date later than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any Authority or any public Authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality school district corporation or Authority

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(o) To contract with any municipality corporation or any public Authority of this or any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

(p) To enter into contracts [with] to supply water and other services to and for municipalities that are not members of the Authority or [with] to and for the Commonwealth of Pennsylvania municipalities [corporations or authorities for the use of any project of the Authority and fixing] school districts persons or authorities and fix the amount to be paid therefor

(q) To enter into contracts of group insurance for the benefit of its employees and to set up a retirement or pension fund for such employees [similar to that existing in the municipality where the principal office of the project is located]

(r) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties benefited improved or accommodated thereby to the extent of such benefits. Such benefits shall be assessed in the manner provided by section eleven of this act for the exercise of the right of eminent domain.

(s) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties benefited improved or accommodated thereby according to the foot front rule. Such charges shall be based upon the foot frontage of the properties so benefited and shall be a lien against such properties. Such charges may be assessed and collected and such liens may be enforced in the manner provided by law for the assessment and collection of charges and the enforcement of liens of the municipality in which such Authority is located. Provided That no such charge shall have the force and effect of a lien unless prior to construction of such sewer system the Authority shall have submitted the plan of construction and estimated cost to the municipality in which such project is to be undertaken and the municipal authority shall have approved such plan and estimated cost. And provided further That the cost of the construction shall not have exceeded the estimated cost as approved by the municipal authority.

(t) To charge a tapping fee whenever the owner of any property connects such property with a sewer system constructed by the Authority which fee shall be in addition to any charges assessed and collected against such property in the construction of such sewer by the Authority or any rental charges assessed by the Authority.

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows:

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality. The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation. Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term expires on the January first next succeeding

* * * * *

C A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the by-laws shall require a larger number. The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper. The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper.

Section 9 Transfer of Existing Facilities to Authority A Any municipality school district or owner may and they are hereby authorized to sell lease land grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project. Any

municipality or school district is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality or school district for the construction of projects not begun or if begun not completed. The territory being served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall constitute the area in which such Authority shall be authorized to render service. Included in the area served by the project and the area in which the project is authorized to serve at the time of acquisition and any other area into which the service may be extended subject to the limitations of subsection A of section four of this act.

Section 11 Acquisition of Lands Water and Water Rights The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands water and water rights as the Authority may deem necessary for any of the purposes mentioned in this act. Provided However That water and water rights may not be acquired unless and until approval is obtained from the water and power resources board in accordance with the law in such cases made and provided and provided further that no property [devoted to a public use] owned or used by the United States the Commonwealth of Pennsylvania any political subdivision thereof or any body politic and corporate organized as an "Authority" under any law of the Commonwealth or by any agency of any of them nor any property of a public service company property used for burial purposes places of public worship shall be taken under the right of eminent domain the right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality by which such Authority was organized.

In the case of a joint Authority eminent domain shall be exercised by the Authority in the same manner as is provided by law for the exercise of such right by municipalities of the same class as the municipality in which the right of eminent domain is to be exercised.

The right of eminent domain herein conferred by this section may be exercised either within or without the municipality or municipalities.

Section 14 Termination of Authority When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the municipality or municipalities creating the Authority or where the project is a public school building to the school district in which it is located when any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it. It may convey all its property to the municipality or municipalities [and] or where any of such property is a public school building then to the school district in which it is located and may then terminate its existence a certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth if the certificate is approved by the municipality or municipalities creating the Authority by its ordinance or ordinances the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county thereupon the property of said authority shall pass to the municipality or municipalities or the school district or districts as the case may be and the Authority shall cease to exist.

Section 18 Conveyance by Authorities to Municipalities or School Districts of Established Projects (a) If a project shall have been established under this act by a board appointed by a municipality or municipalities which

project is of a character which the municipality or municipalities have power to establish maintain or operate and such municipality or municipalities desire to acquire the same it or they may by appropriate resolution or ordinance adopted by the proper [authorities] authorities signify its or their desire to do so and thereupon the authorities shall convey by appropriate instrument said project to such municipality or municipalities upon the assumption by the latter of all the obligations incurred by the authorities with respect to that project

(b) If a public school building shall have been established as a project under this act and the school district in which it is located desires to acquire the same such school district may by appropriate resolution signify its desire to do so and thereupon the authority shall convey such public school building to such school district by appropriate instrument upon the assumption by the latter of all the obligations incurred by the authority with respect to that project

(c) Whenever an authority has heretofore been formed by any county for the purpose of acquiring constructing improving maintaining or operating water works water supply works or water distribution systems for the benefit of any one or more but not all of the cities boroughs towns and townships of the county such county authority may with the approval of the board of county commissioners of the county convey any such project to the cities boroughs towns or townships or any of them for the benefit of which the project was acquired constructed improved maintained or operated or to any authority or authorities organized by such cities boroughs towns or townships or any of them for the purpose of taking over such project all such conveyances shall be made subject to any and all obligations incurred by such county authority with respect to the project or projects conveyed

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 334

Mr. BECKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 334.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Frazier,	Letzler,	Stevenson,
Becker,	Haluska,	Lord,	Tarr,
Berger,	Hare,	Mahany,	Taylor,
Chapman,	Holland,	Mallery,	Tyler,
Crider,	Homsher,	Margie,	Wagner,
Crowe,	Kephart,	Rahausser,	Watson,
Dent,	Klein,	Rosenfeld,	Wilson,
DiSilvestro,	Lane,	Ruth,	Wood, L. H.,
Donlan,	Leader,	Scarlett,	Woodring,
Farrell,			

NAYS—11

Blass,	Jaspan,	Tallman,	Wood, T. N.,
Carr,	Snowden,	Wade,	Walker,
Heyburn,	Stiefel,	Wolfe,	Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the tion and discharge therefrom; conferring powers and imcommitment and transfer of such persons to such instituting duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 477

Mr. CARR. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 477, passed third reading

The PRESIDING OFFICER. How did the Senator vote?

Mr. CARR. Mr. President, I voted with the majority.

Mr. TALLMAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. CARR. Mr. President, I ask unanimous consent to offer amendments to the title.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title, by striking out the words "juvenile delinquents" and inserting in lieu thereof: "inmates;" Amend title, page 2, last line of title, by striking out the words "release or retention" and inserting in lieu thereof: "probation or parole."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 507, as follows:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven hundred three of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1103 Making Claim for Bounty Any [person] resident of this Commonwealth having killed in a wild state within this Commonwealth any such predator and being desirous of securing the reward or bounty provided for such killing shall produce such slain predator or the entire pelt of any animal and the entire body of any bird before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the commission that (a) he or some member of his immediate family or household naming such person killed the same (naming it) (b) stating the date of such killing (c) that it was killed in a wild state (d) that the place (naming it by county and township) where such animal or bird was killed was within the Commonwealth (e) that such animal or bird was not reared or held in captivity and released and (f) that such person was not responsible directly or indirectly for having such animal or bird imported into the Commonwealth or released

Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim. Game protectors and deputy game protectors are authorized to administer the oath required by this section. Deputy game protectors shall supply seals at their own expense

The claimant for bounty shall forward such affidavit and the unutilized [salted or cured] dried or salted skin or pelt of the animal or animals to the director at Harrisburg within four months from the date of killing and the affidavit and the entire body of any bird shall be forwarded or delivered to the director at Harrisburg within forty-eight hours after killing

In no case except for the killing of predatory birds shall a bounty be paid where the whole carcass or body or the raw [unsalted or undried] skin of an animal is received by the commission [undried or unsalted] skin of an animal is submitted

Section 2 Section eleven hundred five of said act is hereby amended to read as follows

Section 1105 Unlawful Collection of Bounties Penalties It is unlawful for any person to collect or attempt to collect or to aid conspire or assist in the collection of a bounty through the presentation of a skin or a carcass or any part thereof of any animal or bird upon which no bounty is authorized in accordance with the provisions of this act or through deception of any character or to present for the purpose of collecting a bounty the skin or carcass or any part thereof of an animal or bird that has been reared or held in captivity or released or the skin or carcass or any part thereof of any animal or bird captured either dead or alive or reared or held in captivity outside of this Commonwealth or to collect or attempt to

collect or to aid conspire or assist or to collect or attempt to collect or to aid conspire or assist in collecting a second bounty for the killing of any animal or bird upon which a bounty has already been paid

Any person who shall wilfully or fraudulently collect or attempt to collect or aid conspire or assist in collecting any bounty to which the claimant [or any other person] is not legally entitled under the provisions of this act or shall aid abet or assist in any capacity officially or otherwise in any attempt to defraud the Commonwealth through the collection or payment of any reward or bounty shall be guilty of perjury and punishable as a misdemeanor where a false affidavit is made and in addition thereto upon conviction in a summary proceeding or upon signing an acknowledgment of the offense committed shall be sentenced to pay the Commonwealth for the use of the Game Fund a fine of [one hundred] twenty-five dollars and costs of prosecution for each such skin or bird submitted except that any person who shall with intent to defraud make a false declaration of the date when a bird or animal was killed shall be sentenced to pay a fine of ten dollars and the costs of prosecution for each such skin or bird submitted and in default of the payment of the fine and costs so imposed shall suffer imprisonment in the jail of the county in which the affidavit is made for a period of one day for each dollar of costs and fine imposed and unpaid

Any person who shall collect a bounty to which such person is not legally entitled under the provisions of this act shall in addition to the fines herein imposed be required to refund to the commission such amounts as shall have been unlawfully collected

[All skins of animals or parts thereof or the bodies of any birds or parts thereof presented for bounty in a false claim for which no bounty is provided or otherwise contrary to the provisions of this act] The inclusion of the skin of an animal or part thereof or the body of any bird or part thereof in an attempt to collect a bounty to which the claimant is not entitled or otherwise presenting a claim contrary to the provisions of this act shall invalidate the entire claim and all skins or birds in such claim are hereby declared forfeited to the Commonwealth and shall be disposed of by the director

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margle,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Orlder,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walke,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 3 on third reading, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing, and preventing future silting of the Schuylkill River above Norristown.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 88, on third reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township Cumberland County Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 182, as follows:

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the qualifications relating to pensions of blind persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1205) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as herein after specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

* * * * *

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three sixtieth or ten-two hundredths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars (\$40) per month Provided That any blind person with a actual income of [twelve hundred dollars \$1200] one thousand five hundred ninety-six dollars (\$1596) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5000) is not entitled to such pension And provided further That where a blind person has an income of less than [twelve hundred dollars (\$1200)] one thousand five hundred ninety-six dollars (\$1596) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed [twelve hundred dollars (\$1200)] one thousand five hundred ninety-six dollars (\$1596) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Holland,	Rahausser,	Watson,
Chapman,	Heyburn,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 365, on third reading, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 387, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the purpose of preparing a reprint of the Report of the Commission to locate the site of the Frontier Forts of Pennsylvania as originally written pursuant to the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 123) and to publish five thousand (5000) copies of the report

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margle,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 437, on third reading, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 455, as follows:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of sixteen million dollars (\$16,000,000) is hereby appropriated from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply system electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margle,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,

Dent, DiSilvestro, Doehla, Donlan, Farrell.	Kephart, Klein, Lane, Leader, Letzler,	Snowden, Stevenson, Stiefel, Tallman, Tarr,	Wood, T. N., Woodring, Walker, Presiding Officer
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NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 466, on third reading, entitled:

An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of Aeronautics.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 467, on third reading, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to amend the act approved the first days of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" be hereby amended to read as follows

Section 1 The sum of [two million seven hundred fifty thousand dollars (\$2,750,000)] four hundred fifty thousand dollars (\$450,000) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs for the following purposes (1) for con-

struction of armories and the repair and improvement of present armory buildings (2) for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap (3) for post-war repairs to monuments in France and Belgium and (4) for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blas,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Willson,
Cridler,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 500, as follows:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto section ninety-eight and ninety-nine as follows

7 Prothonotaries and Clerks of the Court

Section 98 Formation of State Association Authorized The prothonotaries and clerks of courts of quarter sessions of the several counties of this Commonwealth are hereby authorized to organize themselves into a state association with the power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and cooperation in the conduct of their offices and improving their services to the public

Section 99 Expenses Time Limit The actual expenses of the prothonotaries and clerks of the court attending the meetings of the state association including traveling expenses at five cents (5c) per mile and hotels bills not

exceeding ten dollars (\$10) per day actually paid by them going to attending and returning from annual meetings of the association shall be paid by the county of which he or she is an officer drawn on the treasurer thereof. The time spent in attending such meetings shall not be more than three days exclusive of the time employed in traveling thereto and therefrom. The expenses of the annual meeting of the association including printing committee expenses and stenographers shall be paid by the respective counties but shall not exceed twenty-five dollars per annum for each county in addition to the traveling expenses hereinbefore provided.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, just expressing a personal opinion in matters of this kind, House Bill 500 authorizes the creation of a new state-wide organization for prothonotaries and clerks of courts. I believe, after the few years I have spent here in Harrisburg, that I have made up my mind, anyway, regarding the creation of these organizations of elected officials that are elected for four-year terms, that there is no continuity of organization whatsoever, and in the main they are used to come to Harrisburg to lobby State Senate and House of Representatives into passing legislation for the benefit, not of the offices they hold but of the individuals who hold office. I think I can speak very plainly in this matter, since both offices in my county are held by members of my party, and therefore there is no method to my approach to the thing that might be considered political.

I believe it is time that we eliminate, instead of create this type of set-up of state-financed organizations that come to Harrisburg to confuse the members of the Legislature.

I promised myself that I would never vote for the creation of another lobby of elected officials and pay them out of our own funds and therefore I am going to keep that promise. I have made another promise, that if ever the opportunity comes to eliminate the existing county lobbies that come down here, I will vote for that too.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Barr,	Farrell,	Lord,	Taylor,
Becker,	Frazier,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Holland,	Rahausen,	Watson,
Cridler,	Homsher,	Rosenfeld,	Willson,
Crowe,	Jaspan,	Ruth,	Wolfe,
DiSilvestro,	Kephart,	Scarlett,	Wood, L. H.,
Doehla,	Klein,	Stevenson,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Walker,
			Presiding Officer

NAYS—9.

Chapman,	Lane,	Snowden,	Tarr,
Dent,	Leader,	Stiefel,	Woodring,
Heyburn,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 558, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" be hereby amended to read as follows

Section 1 That the sum of [six million five hundred thousand dollars (\$6,500,000)] three hundred sixty thousand dollars (\$360,000) is hereby appropriated to the Department of Property and Supplies for the acquisition of land by purchase or condemnation for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 577, as follows:

An Act making a deficiency appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-five thousand dollars (\$175,000) is hereby appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the balance of the two fiscal years ending May thirty-first one thousand nine hundred and forty-seven and for the succeeding fiscal biennium until the thirtieth day of June one thousand nine hundred and forty-seven

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 596, as follows:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanitarium

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 441 Appropriations to Hospitals Tuberculosis Sanitaria and Homes The board of commissioners may appropriate moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to residents of such county and may also appropriate moneys for the support of any home or place of detention for dependent delinquent and neglected children located within the county and may also appropriate moneys for the support of any sanitarium for the treatment of persons afflicted with tuberculosis located within the Commonwealth of Pennsylvania which sanitarium is engaged in charitable work and extends treatment and medical attention to residents of such county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 597, as follows:

An Act to amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanitarium

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 442 Appropriation to Society Maintaining Tuberculosis Sanatorium for Maintenance of Indigent Residents of the County The board of commissioners may appropriate to any duly incorporated society chartered to maintain a sanatorium for the treatment therein of persons suffering from tuberculosis so much money as may be necessary for the maintenance of indigent persons residents of the county who may be inmates of such sanatorium and under treatment for tuberculosis [Said appropriation shall not exceed for each indigent inmate the sum of ten dollars per week payable every three months at the end of the period] The board of commissioners shall at all times have free access to such sanatorium for inspection of its management and for the ascertainment of the number of indigent persons receiving treatment therein

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 654, as follows:

An Act to reenact section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations" as last amended by the act approved the fifteenth day of April one thousand eight hundred ninety-one (P. L. 15) which was repealed by the acts approved the fifth day of May one thousand nine hundred thirty-

three (P. L. 289) the fifth day of May one thousand nine hundred thirty-three (P. L. 364) the first day of May one thousand nine hundred thirty-three (P. L. 457) and the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) is hereby reenacted to read as follows

Section 1 Be it enacted &c That whensoever it has occurred or shall happen that any corporation has been or shall be dissolved whether by decree of court expiration of time or otherwise owning land or other real estate within this Commonwealth it shall and may be lawful for the court of common pleas of the county wherein the real estate is or shall be located upon the petition of any one or more of the shareholders or corporators or their legal representatives and personal notice to and service upon all known parties in interest whose places of residence are known and such further notice by advertisement to others interested as the court may direct if no reasonable and sufficient cause be shown to the contrary to authorize the sale of such real estate in fee simple at either public or private sale upon such terms as the court may designate by a trustee to be appointed for that purpose which trustee before making such sale shall give security for the faithful application of the proceeds of such sale according to law to be approved by the court in double the probable value of the land to be sold and the proceeds of such sale shall be distributed by the party making the same as part of the effects of the defunct corporation to creditors or shareholders as the said court may adjudge them to be entitled and if said corporation had made sale of real estate and had not conveyed the same such court may decree conveyance in specific execution of such contract in manner aforesaid.

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS ON THIRD READING AND FINAL PASSAGE DEFEATED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 690, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. ROSENFELD. Mr. President and members of the Senate, the remarks I am about to make apply equally to Senate Bill 690 and the next bill on the calendar, Senate Bill 691.

I would like to start out by reading from a throw-out by the Public Charities Association of Pennsylvania which, I think, explains the objections to the bill as well as anything I have seen.

"These bills provide that the defendant shall pay an additional sum in the amount of five per cent of the support order, to be paid to the county to help defray the expenses of collection and disbursement of funds collected in the order for support. It should be pointed out that this feature of the bills is an innovation. The purpose evidently is to provide additional revenue by making a charge for the collection of support orders.

"By law support orders are now collected without fee through probation officers whose services are a legitimate charge upon the county. In the process of collecting the court orders the probation officers at the same time help the family by making adjustments of family difficulties and, in the case of unmarried mothers, by assisting in the solution of the problem.

"We fear that the proposed statute would make this process of family and child welfare adjustment more difficult by setting up a fee system for collections. It seems unjust to charge a fee to the man who pays his court order promptly and regularly. It is a question, moreover, whether the bill would not defeat the purpose of existing legislation, which is primarily to render a service to the families of unmarried mothers for whose benefit the court makes its court orders."

I would like to add, Mr. President and members of the Senate, that this will create a problem in the city of Philadelphia. I am not familiar with how these things operate in the other counties, but I do know that the officials of the Municipal Court in the county of Philadelphia, and the judges, have indicated to me that there will be a tremendous problem here, first, in assessing the support order, which primarily is for the benefit of wives and children, and children of unwed mothers, that the courts will of necessity have to take into account, in making assessments against the defendant, the fact that he will also have to pay the additional five per cent. This means that in the final analysis the five per cent will come out of the moneys that the wives and the unwed mothers and the children may eventually get from the defendant.

Secondly, Mr. President, the bill provides for an assessment which, however, can not be collected unless and until the support order is paid in full. This will encourage delinquencies because each defendant soon will come to learn that in the event he stays just a little bit behind in his support order the county will not be able to collect the five per cent from him.

In the third place, Mr. President, there is no provision in the bill for collection of the five per cent in the event that the defendant does not pay the five per cent.

In the final analysis, Mr. President, I repeat, that the five per cent, or so much of it as is collected, will come

from the mothers and the children and the Department of Public Assistance, which in many instances supplements the orders that the Court imposes, at least in the city of Philadelphia, and for that reason I ask my colleagues on both sides of the Senate to vote this proposal down.

Mr. KEPHART. Mr. President, on these two bills—and what I say will apply to the next bill on the calendar as well as this one—statistics of the courts show, so I have been advised by the judges that handle these types of cases, that about ninety-nine out of a hundred defendants can not afford to pay this five per cent and that merely means that their wives and children will be deprived of that money, in favor of the county.

I think the courts should be open and free to all, and especially to those people who can not afford to pay this five per cent.

When a sheriff goes out and collects a judgment, no five per cent is taken from that, and I see no reason why these people, even if they are willing to pay voluntarily, should have to pay five per cent to the county, which should be done by the public to take care of them.

Mr. RAHAUSER. Mr. President, these bills were designed to aid the county in bringing those people who are delinquent up to date; it was designed to cut off delinquency; it was designed to remedy the very situation that the gentleman from Philadelphia, Mr. Rosenfeld, and the gentleman from Philadelphia, Mr. Kephart, have spoken about. I believe they have an arroneous conception of the meaning of the bill, and, while I realize that they have taken this matter into full consideration, I believe the import of the bill will do quite the opposite.

Mr. KEPHART. Mr. President, I would just like to say a word in answer to the statement of the gentleman from Allegheny, Senator Rahauser, who stated that these bills were designed to keep those people who were in arrears up to date, to bring their delinquencies up to date. If that is the purpose of the bills, they should so state, because the way the bills are now written, even though the people that are defendants pay on time, they still have to pay the five per cent.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Barr.	Donlan,	Letzler,	Stevenson,
Berger,	Geltz,	Mallery,	Tarr,
Blass,	Haluska,	Margie,	Woodring,
Carr,	Holland,	Rahauser,	Walker,
Dent,	Klein,	Ruth,	Presiding Officer

NAYS—30

Becker,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Homsher,	Scarlett,	Wagner,
Crider,	Jaspan,	Snowden,	Watson,
Crowe,	Kephart,	Stiefel,	Wilson,
DiSilvestro,	Lane,	Tallman,	Wolfe,
Doehla,	Leader,	Taylor,	Wood, L. H.,
Farrell,	Lord,	Tyler,	Wood, T. N.,
Frazier,	Mahany,		

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Barr,	Donlan,	Letzler,	Stevenson,
Berger,	Geltz,	Mallery,	Tarr,
Blass,	Haluska,	Margie,	Woodring,
Carr,	Holland,	Rahausser,	Walker,
Dent,	Klein,	Ruth,	Presiding Officer

NAYS—30

Becker,	Heyburn,	Rosenfeld,	Wade,
Chapman,	Homsher,	Scarlett,	Wagner,
Crider,	Jaspan,	Snowden,	Watson,
Crowe,	Kephart,	Stiefel,	Wilson,
DiSilvestro,	Lane,	Tallman,	Wolfe,
Doehla,	Leader,	Taylor,	Wood, L. H.,
Farrell,	Lord,	Tyler,	Wood, T. N.,
Frazier,	Mahany,		

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 717, as follows:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five million four hundred twenty-six thousand nine hundred ninety dollars (\$5,426,990) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for use at State Teachers' Colleges for the payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of instructional equipment furnishings and furniture and for the payment of the costs of necessary plans specifications advertising for bids supervision architectural and engineering and surveying fees therefor as hereinafter set forth in the amounts specified

I Bloomsburg State Teachers' College

For the payment of the costs of replacing boiler house equipment with two stokers lounge facilities in Waller Hall Gymnasium and converting Noetling Hall into an adult class-room building two hundred sixty thousand dollars (\$260,000)

For the purchase of library books and other equipment twelve microscopes three pianos linotype machine twelve sets of type and payment of the costs of piano reconditioning twenty-two thousand seven hundred fifty dollars (\$22,750)

II California State Teachers' College

For the payment of the costs of the installation of shower rooms fire towers and an emergency lighting and fire alarm system in dormitories exterior and interior painting enlargement of kitchen and storage rooms roofing flooring installation of a water softening plant and the replacement of drinking fountains two hundred eighty-four thousand dollars (\$284,000)

For the purchase of print shop blue print machine shop equipment class-room lighting equipment physics apparatus for State College engineering students library books lounge parlor class-room and office furniture sound projector and speech-recording equipment forty-six thousand five hundred dollars (\$46,500)

III Cheyney Training School for Teachers

For the payment of the costs of flooring and lavatory for the library converting attics of Emlen and Bailey Halls into dormitories masonry conversion of barn into a residence hall remodeling of Brinton and Smith cottages improvement of tennis courts and athletic field extension of sewage disposal plant and grading and lighting roads two hundred nine thousand dollars (\$209,000)

For the purchase of library books and periodicals complete equipment of electrical laboratory and printing shop equipment expanding machine shop playground equipment and pianos and home economics equipment twenty-one thousand five hundred dollars (\$21,500)

IV Clarion State Teachers' College

For the payment of the costs of boilers in the power house walkin tunnel for heat pipes roofing water softening equipment painting flooring completion of swimming pool plastering and painting of dormitory rooms plumbing electrical equipment wiring heating system repairs and construction of fire escape tower and fireproof stairwells three hundred fifty-six thousand dollars (\$356,000)

For the purchase of library books two motion picture projectors two tri-purpose projectors four projector screens and laboratory equipment ten thousand six hundred fifty dollars (\$10,650)

V East Stroudsburg State Teachers' College

For the payment of the costs of completing toilet and shower rooms in Stroud Hall repainting rewiring replastering and other alterations in Oakes Stroud Shawnee Halls and Wayne Gymnasium installation of heating system enlarging stage of auditorium and providing facilities for speech department draperies and curtains renovation of faculty houses and an incinerator five hundred twelve thousand dollars (\$512,000)

For the purchase of library books science equipment and lockers for the gymnasium fourteen thousand dollars (\$14,000)

VI Edinboro State Teachers' College

For the payment of the costs of an emergency lighting system in Reeder Hall laundry equipment infirmary renovation remodeling and equipment for kitchen plastering flooring painting exterior and interior plumbing and weather-stripping one hundred seventy-two thousand dollars (\$172,000)

For the purchase of new stoves deep fat frier and a dumb waiter for the kitchen dormitory furniture and screens library books sound projector and photographic equipment twenty-five thousand three hundred dollars (\$25,300)

VII Indiana State Teachers' College

For the payment of the costs of plumbing rewiring various buildings replacement of motors roofing remodeling of house for use as men's dormitory exterior painting replacing coal storage bins and unloading platform kitchen remodeling and additional refrigeration erection of fencing and the purchase of gate posts and framework to enclose athletic field and tennis courts replacing worn out concrete steps laundry equipment bleachers replacing those condemned class-room remodeling for instructional purposes remodeling of room for a college post office flooring furniture for Recreation Hall and dormitories three hundred forty-six thousand five hundred dollars (\$346,500)

For the purchase of one hundred typewriters three

recording machines twenty pianos refrigerators stoves ironers washers dryers art equipment books and furniture for the library sound projector scientific equipment and supplies mimeograph and desks and file cases twenty-six thousand dollars (\$26,000)

VIII Kutztown State Teachers' College

For the payment of the costs of fire towers infirmary remodeling heating plant and steam lines flooring in various buildings drainage in basement of auditorium replacement of doors doorjams locks in dormitory rooms remodeling of help quarters including fire alarm extension storage facilities for chemicals and laboratory equipment fireproof storage space in dormitory kiln room facilities for art training painting exterior and interior book elevator repairs and potato storage space three hundred thirty-two thousand dollars (\$332,000)

For the purchase of analytical balances and centrifuges physics apparatus two pianos graphic arts equipment thirty microscopes and storage space therefor Magnavox record-player art and architecture education slides sound projector amplified rectifier and speakers sixteen (16) millimeter projector microfilm reading machines and films speedgraphic camera omega dark room equipment prints for preparation of art supervisors lithographic press and eighteen filing cabinets twenty-three thousand eight hundred ninety dollars (\$23,890)

IX Lock Haven State Teachers' College

For the payment of the costs of renovating or replacing Recitation Hall roofing exterior painting renovation of men's and women's dormitories and Administration Building lighting and plumbing repairs to women's gymnasium flooring and heating repairs to Elementary School and extending flooring in Field House four hundred ninety-seven thousand dollars (\$497,000)

For the purchase of physics laboratory equipment classroom furniture anatomy and physiology laboratories library books projectors audiometers recorders typewriters filing cabinets and classroom films twenty-two thousand nine hundred dollars (\$22,900)

X Mansfield State Teachers' College

For the payment of the costs of boilers and heating renovation and replacing worn-out equipment in kitchen and bake shop replacement of refrigeration and cooling system rehabilitation of interior of South Hall to remove fire hazards replacement of flooring and stairs in North Hall and Dining Hall rehabilitation wiring lighting fixtures in Education Center replacement of roofing Straughn Auditorium Student Center Science Building Junior High Campus School North Hall South Hall and exterior painting of all campus buildings three hundred thirty-five thousand dollars (\$335,000)

For the purchase of gymnasium and science laboratory equipment classroom furniture musical instruments and pianos library books maps and globes twenty-eight thousand dollars (\$28,000)

XI Millersville State Teachers' College

For the payment of the costs of the replacement of wooden stairways in the women's dormitory with fireproof stairwells roofing repairs to three buildings painting of college buildings a refrigeration plant replacement and renovation of floors in various buildings lighting toilet and lavatory facilities in the women's dormitory hot water generator cement walks and heating plant renovation one hundred fifty-six thousand five hundred dollars (\$156,500)

For the purchase of replacing equipment in Industrial Arts Department science laboratory visual education speech correction and health and physical education equipment twenty thousand five hundred dollars (\$20,500)

For the purpose of reconditioning the college chapel forty thousand dollars (\$40,000)

For the purpose of reconditioning the industrial arts building including repairs to windows and removal of hazards on roof and correcting faulty brick work also reconditioning junior high school shop twenty-five thousand dollars (\$25,000)

For the conversion of old heating plant into carpenter

paint electrical and other workshops and storage rooms thirty thousand dollars (\$30,000)

For reconditioning domestic building repairing plaster woodwork lighting etc twenty thousand dollars (\$20,000)

For repairs to dining room and kitchen fifteen thousand dollars (\$15,000)

For repairs to Prince Street house including repairs to sills weatherboarding painting plumbing and removal of out kitchen five thousand dollars (\$5,000)

For repairs to Frederick Street house including weatherboarding lighting four thousand dollars (\$4,000)

XII Shippensburg State Teachers' College

For the payment of the costs of fireproof walls and stairs replacing open wooden stairs in Horton Hall installation of water mains to serve new buildings replacement of water lines to toilet rooms in older buildings the remodeling of and alterations to the heating plant boilers coal handling equipment coal storage bunkers new brick stack and renovation of the old gymnasium for use as the College Community Center three hundred eighty-eight thousand dollars (\$388,000)

For the purchase of furniture fixtures and business machines in the Department of Business Education laboratory equipment in the Department of Science pianos in the Department of Music projectors lanterns screen and cameras educational films and slides in the Department of Visual Education and gymnasium mats and covers in the Department of Health and Physical Education twelve thousand dollars (\$12,000)

XIII Slippery Rock State Teacher's College

For the payment of the cost of complete rehabilitation of the power plant connecting it to the present stack rehabilitation of South Hall completion of electric wiring water system completion fire alarm systems chapel improvements renovating and fencing playground for the Laboratory School addition of West Hall to the Laboratory School lighting painting and partitions to Administration offices rehabilitation of Registrar's Office and storage vault for scholastic records seven hundred twenty-two thousand dollars (\$722,000)

For the purchase of shop equipment for industrial arts training in Laboratory School furniture for dormitories and recreational hut library books gymnasium equipment thirty thousand five hundred dollars (\$30,500)

XIV West Chester State Teachers' College

For the payment of the costs of fire towers completing electrical repairs general heating and plumbing repairs installation of tile floors in women's toilets and food store-room replacement of steps roof replacement and repair new floors plastering interior and exterior painting power house equipment ventilation system repairs ranges for dining hall sound proofing of auditorium dining hall three hundred fifty-two thousand dollars (\$352,000)

For the purchase of library books fifteen practice pianos motion picture projectors with photomicrographic cameras microscopes and microprojector chemistry equipment Magnavox portable phonographs maps globes and atlases pianos two electric pipe-organs three console radios fifty hurdles for track and field use field glasses binoculars magnifiers physics apparatus paraffin embedding oven and rotary microtome for biological laboratories and FM broadcasting system sixty-one thousand five hundred dollars (\$61,500)

Section 2 The moneys hereby appropriated may be used at each State Teachers' College in whole or in part for the carrying out of the projects enumerated or any of them according to the determination of their necessity by the Board of Trustees at each such institution with the approval of the Superintendent of Public Instruction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 750, as follows:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment of firemen's relief pension and retirement funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All moneys accumulated in the State Treasury set aside by the State Treasurer and held in or repayable in accordance with existing laws into the Fire Insurance Tax Fund other than interest credited to such fund which remained as an undistributed surplus in said fund as of December thirty-first one thousand nine hundred forty-four are hereby specifically appropriated to and shall be paid by the State Treasurer to the several cities townships and boroughs in which firemen's relief funds firemen's pension funds or firemen's retirement funds were maintained in the year one thousand nine hundred forty-four in the ratio that other moneys in the Fire Insurance Tax Fund were paid to said cities townships and boroughs for the year one thousand nine hundred forty-four in accordance with existing law Provided that before any such payments are made the secretary of revenue with the approval of the auditor general shall determine and adjust all inequalities in payment heretofore made resulting from charging to and withholding from any payment made to any city township or borough of any deficits for any preceding year or years where the amount so withheld had not actually been received by the city township or borough during such preceding year all amounts so determined shall first be paid to the cities townships and boroughs found to be entitled thereto and the balance of said undistributed surplus only shall be paid as hereinbefore provided

Each city township and borough treasurer receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund pension fund or retirement fund of the fire department or fire company or companies paid or volunteer organized in such city township or borough as is or are engaged in the service of such city township or borough and duly recognized as such by the corporate authorities thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 778, as follows:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the re-transfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships

institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as added by the act approved the twenty-first day of May one thousand nine hundred forty-five (P. L. 1074) is hereby amended to read as follows

Section 2

* * * * *

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred [forty-seven] forty-nine Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable buildings or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geitz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 783, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other

accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1101 Notice of Settlement (a) Promptly after the date of any settlement the Department of Revenue shall send by mail or otherwise a copy thereof to the party with whom or with which the settlement was made

(b) Promptly after the date of any settlement which the Department of the Auditor General and the Treasury Department are by this act authorized to make the Department of the Auditor General shall send by mail or otherwise a copy thereof to the party with whom or with which the settlement was made

(c) Where the Secretary of the Commonwealth claims that bonus is due from any domestic corporation under any act of Assembly and such claim is disputed the Secretary of the Commonwealth shall make a settlement for the amount of bonus claimed to be due and shall send by mail or otherwise a copy thereof to the party with which the settlement is made

Section 2 Section one thousand one hundred two of said act as last amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 259) is hereby further amended to read as follows

Section 1102 Petition for Resettlement Within ninety

(90) days after the date upon which the copy of any settlement was mailed to the party with whom or with which the settlement was made such party or the Commonwealth of Pennsylvania may file with the department which made it a petition for resettlement

Every petition for resettlement shall fully state the reasons which the petitioner believes entitle him or it to such resettlement

It shall be the duty of the department with which the petition was filed within six (6) months after the date of any settlement to dispose of any petition for resettlement

In the case of petitions for resettlement filed with the Department of Revenue the disposition of the petition shall be subject to the approval of the Department of the Auditor General as in the case of original settlements and if the two departments shall be unable to agree the case shall be submitted to the Board of Finance and Revenue by the Department of Revenue. The Board of Finance and Revenue shall decide every such case within three (3) months from the date of the submission thereof and in case of its failure to reach a decision within such period the disposition of the Department of Revenue shall automatically become valid and the Board of Finance and Revenue shall immediately return to the Department of Revenue all of the papers appertaining to the case

In the case of petitions for resettlement filed with the Department of the Auditor General the petition shall be disposed of by the joint action of that department and of the Treasury Department as in the case of original settlements

In the case of petitions for resettlements filed with the Department of State the petition shall be disposed of solely by that department

Notice of the action taken upon any petition for a resettlement shall be given to the petitioner promptly after the date of resettlement by the department with which the petition was filed

Section 3 Section one thousand one hundred three of said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-five (P. L. 259) and the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 528) is hereby further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General or of the Department of State of the action taken on any petition for a resettlement filed with it the party with whom the settlement was made or the Commonwealth of Pennsylvania may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder either shall state specifically therein the reasons upon which the petitioner relies or shall incorporate by reference the petition for resettlement in which such reasons shall have been stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof. A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided

The Board of Finance and Revenue shall list and hear such petitions within three months after they have been received and shall act finally in disposition of such petitions within six months after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within six months the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue

shall be given by mail or otherwise to all departments involved and to the petitioner

Section 4 Section one thousand one hundred eight of said act as amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 528) is hereby further amended to read as follows

Section 1108 Payment of Accounts Without Prejudice to Right of Resettlement Review and Appeal

Any person association corporation public officer or other debtor who or which is required to make to the Department of Revenue a report upon the basis of which any bonus tax or other charge is to be settled or assessed shall have the right at any time to pay to the Department of Revenue the amount of any bonus tax or other charge due or deemed by him or them to be due with interest if any as is then due and payable thereon without prejudice to his or their right to present and prosecute a petition for resettlement or redetermination to the Department of Revenue a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the times provided by law

The payment by any corporation of bonus settled against it by the Secretary of the Commonwealth shall not prejudice its right to present and prosecute a petition for resettlement to the Department of State a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the times provided by law

Whenever the principal amount due upon a settlement determination resettlement or redetermination or the principal amount determined to be due upon a petition to the Board of Finance and Revenue or to the Department of State and the person association corporation public officer or other debtor against whom such settlement has been made is satisfied therewith or whenever the principal amount due upon the final judgment entered on any appeal is less than the principal amount paid to the Department of Revenue or to the Department of State the Department of Revenue or to the Department of State shall enter a credit in the amount of such difference to the account of such person association corporation public officer or other debtor. Such credit may be used by the person association corporation public officer or other debtor to whose account it is entered in payment of any tax bonus or other claim which may be or become due from him or them to the Commonwealth and if all such charges have been fully paid any remaining credit may be assigned to any other person association corporation public officer or other debtor and such assignee may use it in payment of any such obligation to the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scariett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 784, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars (\$1000) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years beginning June first one thousand nine hundred forty-seven to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses for any year following one thousand nine hundred forty-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. HOLLAND. Mr. President, I have to compliment the gentleman from Cumberland, Mr. Wade, that this bill is not an insurance bill, but I just want to know how the gentleman from Cumberland got into the lawyer's racket.

The PRESIDING OFFICER. The Chair rules the comment of the gentleman from Allegheny out of order.

Mr. HOLLAND. Mr. President, will the gentleman from Cumberland explain what this bill does?

Mr. WADE. Mr. President, this bill refers to distillers' excess license fees already paid in error.

Mr. HOLLAND. Mr. President, why was this not paid without a special bill? I understand that is regular routine when anyone pays in excess.

Mr. WADE. I understand differently, Mr. President; it can not be refunded without a special act of the Legislature.

Mr. HOLLAND. Did the gentleman from Cumberland say it could be refunded without a special act of Legislature?

Mr. WADE. It can not be, Mr. President.

Mr. HOLLAND. Mr. President, are there not refunds being made every day without an act of the Legislature?

Mr. WADE. Not to my knowledge.

Mr. HOLLAND. Through error, within six months?

Mr. WADE. I do not so understand it.

Mr. HOLLAND. Is this just one distiller? Where is that distiller located?

Mr. WADE. I am not so informed, but this bill comes from the Liquor Control Board.

Mr. HOLLAND. It is a legalized distiller, not a boot-legger then, is it not?

POINT OF ORDER

Mr. WADE. Mr. President, I raise a point of order.

The PRESIDING OFFICER. The gentleman from Cumberland will state his point of order.

Mr. WADE. Mr. President, I understand that interrogations of members should be addressed to the Chair; is that correct?

The PRESIDING OFFICER. The Chair rules the point of order of the gentleman from Cumberland is well taken.

Mr. HOLLAND. I agree it is well taken, Mr. President.

The PRESIDING OFFICER. The gentleman from Allegheny will direct his inquiries to the Chair.

Mr. HOLLAND. Mr. President, what I would like to get from Senator Wade is why is it necessary to introduce this bill for a refund on one distiller's license? In the thirteen years I have been here I have never yet seen a bill on any calendar in which any distiller was given a refund by the state.

Mr. WADE. Mr. President, the gentleman is entirely incorrect. On Page 2, Line 1, it is plural, not singular; the word "distillers" is plural, not singular.

Mr. HOLLAND. Mr. President, will Senator Wade tell me what is the license fee for one distiller? I would say he must be an expert on distillers from the way he explains this bill.

The PRESIDING OFFICER. The gentleman from Allegheny will confine his remarks to the bill.

Mr. HOLLAND. Will the gentleman from Cumberland tell the Senate what is the fee for a distiller's license.

Mr. WADE. Mr. President, that is determined by the amount that the distiller proposes to distill.

Mr. HOLLAND. Mr. President, I will accept the answer.

I still do not quite understand why we have the bill here, as I have been told that they have the power now to refund this money, and I really do not see the necessity of a Senate bill making that provision.

Mr. WADE. In order that this matter will be a little more clearly defined, Mr. President, let me read as follows:

"Under the law of Pennsylvania, a distillery pays an initial fee of \$2500.00 per annum for a distillery license, which permits an annual production of 500,000 gallons or less. After the original license is issued, it is the practice for a distillery to apply for an amended license when the annual production will exceed 500,000 gallons. There is no limit on the number of amended licenses which any distillery may apply for and receive in any one year. The Act provides for an additional fee of \$100 for each 100,000 proof gallons or fraction thereof in excess of 500,000 proof gallons.

"It is not demanded that these amended licenses be applied for until the excess gallonage is actually produced. The Liquor Control Board makes an annual audit of each distillery, and if it is found that any distillery has produced a greater gallonage than the license, or amended license permits, then an amended license is applied for to cover this additional production.

"The purpose of this bill is to refund to three distilleries the excess license fees paid by said distilleries over and above the amount actually produced in the year 1945. For example, one distillery by its last amended license had an authorized production of 8,000 proof gallons, and it actually produced, according to the Pennsylvania Liquor Control Board audit, 7,406,308.77 proof gallons, which left a balance of 593,691.23 proof gallons. In this case we are asking for a refund of \$500. The company will lose its right to produce 93,691.23 proof gallons, as it produced a

fraction of the 100,000 proof gallons of which this sum would be a part.

"We feel that these distilleries are entitled to this refund inasmuch as none of the liquor was actually produced, and it was not necessary to obtain amended licenses to permit this production until it had been actually produced. This was an error, or overzealousness on the part of the companies."

I hope, Mr. President, that this satisfactorily explains the bill before us.

Mr. HOLLAND: I wish to thank the gentleman from Cumberland for his explanation of the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

The PRESIDING OFFICER. At this time the Chair desires to call to the rostrum the President pro tempore of the Senate, the gentleman from Dauphin, Mr. Taylor.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 787

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of the Commonwealth with certain conditions.

BILL SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Allegheny, Mr. Walker, to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 786, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly and

Whereas The laws of this Commonwealth provide that State officers and employes shall be paid semi-monthly on the first and fifteenth days of each month therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of seven million dollars (\$7,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries of the officers and employes of the State government in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as moneys appropriated by the General Appropriation Act of one thousand nine hundred forty-seven may become available for such purposes

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payment of salaries are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriation made for the salaries of the officers and employes of the State government in the General Appropriation Act of one thousand nine hundred forty-seven

Section 4 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 797, as follows:

A Joint Resolution proposing an amendment to section eighteen article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain revenues for the acquisition of bridges

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eighteen article nine of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 18 All proceeds from gasoline and other motor fuel excise taxes motor vehicle registration fees and license taxes operators' license fees and other excise taxes imposed on products used in motor transportation after providing therefrom for (a) cost of administration and collection (b) payment of obligations incurred in the construction and reconstruction of public highways and bridges and in the acquisition by purchase condemnation or otherwise of bridges shall be appropriated by the General Assembly to agencies of the State or political subdivisions thereof and used solely for construction reconstruction maintenance and repair of and safety on public highways and bridges and air navigation facilities the acquisition by purchase condemnation or otherwise of bridges and costs and expenses incident thereto and for the payment of obligations incurred for such purposes and shall not be diverted by transfer or otherwise to any other purpose except that loans may be made by the State from the proceeds of such taxes and fees for a single period not exceeding eight months but no such loan shall be made within the period of one year from any preceding loan and every loan made in any fiscal year shall be repayable within one month after the beginning of the next fiscal year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,

Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 948, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June first one thousand nine hundred forty-seven to continue the work of said commission for a special study with the cooperation of local communities and other agencies of the proper and essential functions of local government and of the desirability of reducing the number of political subdivisions below the county by consolidation or otherwise in order to increase efficiency reduce governmental costs and strengthen the system of local government and to make report to the General Assembly including plans to effectuate the recommendations of the commission and for the payment of the expenses of the members of said commission for the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1088, as follows:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All charters of incorporation heretofore granted by any of the courts of common pleas of this Commonwealth to applicants for incorporation and the registration of the corporate name of such corporations heretofore registered under the provisions of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) known as "The Nonprofit Corporation Law" shall be and the same are hereby validated and confirmed notwithstanding that such nonprofit corporations' charters were not approved by the court within six (6) months after the registration of such corporate name Provided That such application as filed and approved by the court and such registration of the corporate name otherwise complied with all the provisions of said act

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Cridler,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DISilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An Act relating to

counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 352) is hereby further amended to read as follows

Section 348 Contracts [All contracts made by the commissioners of any county involving an expenditure exceeding one hundred dollars except contracts for building rebuilding or repair of bridges or for painting or tightening the bolts of iron bridges as hereinafter provided for shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made nor the payment thereof certified by the controller for over three hundrd dollars except in counties of the second class and in counties of the third fourth and fifth classes in which counties the amount of said contract shall not exceed (\$500.00) five hundred dollars unless made with the lowest and best bidder after due notice to be published by the controller if he approves the purpose of the proposals invited All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon The controller shall keep a record of all such awards and shall certify no warrants for contracts not made agreeably thereto Provided however That on an appeal heretofore or hereafter taken from a controller's report the court shall not be required to enter or to sustain a surcharge for failure to comply with the provisions of this section where it appears that the county commissioners acted honestly and in good faith for the best interests of the county and where no loss or damage resulted to the county from such non-compliance Provided That during the continuation of the present wars in which the United States is engaged and for a period of six months after the cessation of all hostilities the contracts which must be made with the lowest and best bidder after advertisement in counties of the second third fourth and fifth classes shall be those involving an expenditure of over five hundred dollars (\$500) But thereafter the limitation of three hundred dollars (\$300) shall apply as heretofore] The County Commissioners may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this section and the laws of the Commonwealth

(a) All contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the Board of County Commissioners is situated at least three (3) times at intervals of not less than three (3) days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two (2) successive weeks The first advertisement shall be published not less than ten (10) days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five (5) days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty (20) days after the contract has been awarded unless the commissioners shall prescribe a shorter period of not less than ten (10) days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by the commis-

sioners involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the several class counties Provided That they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the Board of County Commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any of the several class counties through its own employes Provided That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or arts thereof are desired by the Board of County Commissioners which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1214, on third reading, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State

Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1316, as follows:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighteen hundred dollars or so much thereof as is necessary is hereby specifically appropriated to the Chief Clerk of the House of Representatives to be used by the Chief Clerk for the purpose of paying the balance of salaries due such deceased members to the wife or husband or legal representative of such deceased member in all cases in which the deceased member served part of his term of office and for which vacancy a successor has not been elected

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1318, as follows:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations and for replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of forty-five million dollars (\$45,000,000) is hereby appropriated from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1334, as follows:

An Act reappropriating certain appropriations made by the General Assembly during the session of one thousand nine hundred forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All appropriations made by the General Assembly from all funds of the State Treasury to the various departments independent boards and independent commissions of the Commonwealth by the General Assembly at any time during the session of one thousand nine hundred forty-seven for the maintenance and repair of buildings equipment land and improvements are hereby reappropriated to the Department of Property and Supplies in order that said department may perform the duties imposed upon it by other legislation enacted during the session of one thousand nine hundred forty-seven relating to maintenance of State institutions Said appropriations shall be available for expenditure by the Department of Property and Supplies and shall not be available to the other departments independent boards and independent commissions.

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL INTRODUCED AND REFERRED

Mr. TAYLOR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TAYLOR read in place and presented to the Chair Senate Bill No. 833, entitled:

An Act to further amend section one of the act, approved the seventeenth day of April, one thousand eight hundred ninety-three (P. L. 21), entitled, as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the appointment and salaries of stenographers and clerks.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WADE from the Committee on State Government reported as amended, Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the salaries of members of the State Athletic Commission.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 77, on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring

upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS RECOMMITTED

Mr. TALLMAN. Mr. President, in order that there may be an opportunity to study the revision of fees provided for in House Bill No. 92 and House Bill No. 93, I move that House Bill No. 92, on second reading, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

be recommitted to the Committee on Judiciary General, for the purpose of further study.

Mr. BECKER. Mr. President, I second the motion. The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that House Bill No. 93, on second reading, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

be recommitted to the Committee on Judiciary General, for the purpose of further study.

Mr. BECKER. Mr. President, I second the motion. The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 106, entitled:

An Act to amend the title of and the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners

at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" including corporations within the provisions thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I desire to offer two sets of amendments to House Bill 195. I would like to separate the amendments so that a vote can be taken on each set.

The first set of amendments puts the employer in the position where he must pay damages totaling unpaid wages when found guilty of violation of the Act.

The Clerk read the amendments as follows:

Amend Section 4, page 4, line 1, by inserting after the word "wages" the following: "and damages equal to the unpaid wages;" Amend Section 4, page 4, line 7, by inserting after the word "wages" the following: "and damages."

On the question,

Will the Senate agree to the amendments?

Mr. HEYBURN. Mr. President, I would like to have the amendments read again because, as I listened to them, I understood that after the word "wages", Line 1, Page 4 there was to be an insertion and, Mr. President, there is no such word as "wages" on Line 1, Page 4.

Mr. DENT. Mr. President, the gentleman from Delaware has the wrong copy. The copy I sent to the desk is in conformity with the bill. Line 1, Section 4, on Page 4, is what is amended.

(The Senate was at ease)

Mr. HEYBURN. Mr. President, my question has not yet been answered. I have here a copy of the amendment which says "amend Line 1, Page 4 by inserting after the word 'wages' the following," and there is no word "wages" on Line 1, Page 4.

Mr. DENT. Mr. President, the gentleman's question is a technical one. The first line of Section 4 contains the word "wages". If it has to be changed so as to say, Line 4, Page 4, Section 4, I can easily do that. If that is the only drawback to acceptance of the amendment I will be glad to change that wording.

And the question recurring,

Will the Senate agree to the amendments?

Mr. HEYBURN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HEYBURN, and were as follows, viz:

YEAS—16

Barr,
Dent,
DiSilvestro,
Haluska,

Holland,
Jaspan,
Klein,
Lane,

Leader,
Margie,
Rahauser,
Rosenfeld,

Ruth,
Stiefel,
Tarr,
Woodring,

NAYS—34

Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Doehla,
Donlan,

Farrell,
Frazier,
Geitz,
Hare,
Heyburn,
Homsher,
Kephart,
Letzler,
Lord,

Mahany,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallmad,
Taylor,
Tyler,

Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Walker,
Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. DENT. Mr. President, I offer the following amendments and ask for their immediate adoption.

The Clerk read the amendments as follows:

Amend Section 2, page 2, lines 16 to 20 inclusive by striking out all of said lines; Amend Section 2, page 3, lines 1 to 10 inclusive by striking out all of said lines; Amend Section 4, page 4, line 5, by striking out the words, "willfully and knowingly"; Amend Section 4, page 5, lines 6 to 16 inclusive, by striking out all of said lines; Amend Section 7, page 6, line 10 by striking out the words, "willfully and"; Amend Section 7, page 6, line 11, by striking out the word "knowingly"; Amend Section 7, page 7, lines 3 to 12, inclusive by striking out all of said lines.

On the question,

Will the Senate agree to the amendments

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Westmoreland will proceed.

Mr. DENT. Is it the intention of the Chair to have all the amendments read and then voted on at one time?

The PRESIDING OFFICER. That is the intention, if the gentleman from Westmoreland so desires.

Mr. DENT. Mr. President, these amendments put the bill back into the identical form that it was in when it was introduced by the sponsor of the bill. The amendments that I am trying to strike from the bill at this time are weakening amendments. This is the only bill that has come before the Senate during this session of the Legislature that may be termed as beneficial to one segment of labor in the Commonwealth.

This bill is supposed to guarantee equal wages for equal work when women perform the same work as men. At the time House Bill 35, which removed the restrictions from the hours of work of women, was up before the Senate, I said at that time that if there were any excuse at all for passage of that bill, it would have to be coupled with a bill that would provide equal wages for equal work. The Senate voted down my proposal at that time to hold that bill upon the calendar until this bill arrived in the Senate.

However, the Governor of the Commonwealth, when he received House Bill 35, took the identical position that I presented upon the floor, and sent the bill back to the House with the statement that he would not sign House Bill 35 until House Bill 195 had been presented to him. He felt too, that if women were going to work all hours of the day and night, that young men who compete with them for jobs should not be put at a disadvantage because of the differential in wages paid to women.

When House Bill 195 was introduced it would have guaranteed that very thing, but if the members of the Senate will read this present bill with the amendments put in, with an open mind, they will see that the real meat of the thing is that this bill shall not be applicable where there is an existing contract and women have a lower wage scale than men. Well, the existing contracts were contracted for and were agreed to when the law of the Commonwealth was as it now is.

But if we are going to correct a situation in the Commonwealth, we must make it applicable to all employes who come within the meaning of the bill, and I therefore take the position, Mr. President, that the bill ought to be restored to its original form in that instance.

On Page 4 and Page 7 the words "wilfully and knowingly" are introduced into the bill as an excuse for an employer who violates the act. Every amendment that has been added to this bill makes it easier for the employer to circumvent the features of the bill and deny equal pay for equal work to women in industry.

On Pages 4 and 5, Lines 6 to 16 inclusive, you will find that you are reincorporating into this bill the old-time yellow dog labor contract—you are doing it by different language, but just as sure as we are members of this Senate this evening, that is exactly what it does, because it compels an employee who has been aggrieved by an employer who does not live up to the Act of Legislature, by refusing to pay equal pay for equal work, it puts that employee in the position of being hammered into line by the employer, by the threat of losing her job, by allowing her to sign an agreement terminating any claim that she may have against that employer for any loss of wages.

There is no excuse whatsoever for the introduction of these amendments to this bill. If we are going to give equal pay, then let us give equal pay. We are in the peculiar position that it will in effect give some measure of assistance to some of the employes of the Commonwealth, and in all probability we will be forced to vote for the bill because it is a step forward.

However, that does not take away from it the onus of being a very badly drawn piece of legislation, and one designed to give the employers in the Commonwealth of Pennsylvania a double-edged sword over their employes, where there are females employes.

I say to you, Mr. President and members of this Senate, this is not good legislation as it is now printed. It is not good legislation, but if the Republican members of the Senate intend to vote for it, we on the Democratic side will be forced by circumstances to vote for the bill, because, as I have stated, it is a step forward, but if you want to do a decent thing and an honorable thing in the matter of female employes in the Commonwealth of Pennsylvania, then accept the amendments I have just

offered, taking from the bill the obnoxious amendments that have been introduced into it.

Mr. HOLLAND. Mr. President, for the sake of the record I believe it should be brought to the attention of the Senate and the press who are the sponsors of these amendments.

These amendments were sponsored by the Bell Telephone Company, and anyone knows that just quite recently the Bell Telephone Company had quite an industrial dispute, and one of the reasons why they had that industrial dispute was that some years ago when the Bell Telephone Company was in the stage of organization, the company fostered, as much as possible, a company union and in fostering a company union they also saw to it that employees were divided into many unions within the Bell Telephone Company so that at no time could there be any unified action by the employees.

This bill, as amended, would protect the Bell Telephone Company. Anyone knows they are large employers of women, and this bill would permit women employed by the Bell Telephone Company to receive less money than men for doing the same type of work.

I believe these amendments should be taken out of the bill, if we are sincere in saying that women doing the same type of work as men should receive the same pay, and I ask the members of the Senate to show their sincerity by voting for the amendments offered by the gentleman from Westmoreland, Mr. Dent, which will take out these amendments, about which, by the way, Mrs. Myers, who was one of the sponsors of the bill, phoned me and said the amendments will make this bill an illegitimate bill instead of legitimate bill.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lair,	Rosenfeld,	Woodring,

NAYS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading?

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 200, entitled:

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 230, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employees available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act relating to relations between employers and employees creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-out providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 345, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Liquor Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure

for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 406, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which state employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employees and original members so as to extend the cities, wards, boroughs, townships, institution districts benefits of the act to employees of institutions of counties, and other political subdivisions, acquired by the Common-

wealth for actual use as State mental hospitals and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 529, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining State employee to include employees of the Interstate Commission on the Delaware River Basin.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 596, on second reading, entitled:

An Act to further amend section two hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing

ing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the maximum size of the State Police Force.

be recommitted to the Committee on State Government.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 601, on second reading, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and adsectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 677, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen and subsection (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providig for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance

carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining group life insurance and group accident and health insurance to include trust funds established by employers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735 on second reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 737, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the change of the fiscal year by districts of the second class

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the

Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by further changing the provision relating to the maximum compensation of the State Civil Service Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven eight hundred two and eight hundred seven and to amend subsection (b) of section three Article II sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls, imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth and repealing an existing law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 768, on second reading, entitled:

An Act to repeal sections two and three of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 771, entitled:

An Act to further amend section seven and to amend section eight of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items held by any administrator or executor trustee fiduciary depository of the court receiver or other officers of the court which are escheatable may be joined in one action of escheat and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held and further providing that the Attorney General or any other person authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator and further providing that the court may make orders relative to advertising and notice of the proceedings whether the escheatable property is real or personal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 775, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" conferring additional powers and duties upon the Pennsyl-

vania Labor Relations Board with reference to questions concerning representation of employees for the purposes of collective bargaining

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 792, on second reading, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers requiring an affidavit of the consideration received before a new certificate of title is issued providing for the revocation of dealers' licenses and imposing penalties for violations

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 801, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employees which cause or threaten to cause strikes lockouts slow-downs or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employees for the enforcement of such public policy and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 807, entitled:

An Act to amend section 7 of the act approved the 16th day of May Anno Domini 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from

tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free; providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding sub-section (d) thereto providing for salaries for appointed members of the Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act to further amend Clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the State employe and original member to include certain employes paid on a per diem or hourly basis

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendment:

Amend Sec. 1, page 2, line 4, by striking out the words "Middle Paxton" and inserting in lieu thereof "Susquehanna".

It was agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections and title were read and agreed to.

And said bill having been read at length and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (Pamphlet Laws 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees eligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Section 2, page 7, line 12, by inserting a bracket before the part-word "sus-"; Amend Section 2, page 7, line 13, by inserting after the part-word "pension" the following: "[stoppage"; Amend Section 2, page 7, line 13, by striking out "resulting from an industrial" and inserting

in lieu thereof "which exists because of a labor"; Amend Section 2, page 7, line 15, by inserting a bracket before the word "as"; Amend Section 2, page 7, by inserting at the end of line 16 the following: "I Provided, That this subsection shall not apply if it is shown that (1) he is not participating in or directly interested in the labor dispute which caused the stoppage of work and (2) he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs, any of whom are participating in or directly interested in the dispute provided that if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises each such department shall for the purpose of this subsection be deemed to be a separate factory establishing or other premises".

They were agreed to.

The section was agreed to as amended.

The third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Mr. DENT. Mr. President, I agreed to those amendments and I hope I get the same consideration for mine. I offer the following amendments.

The PRESIDING OFFICER. House Bill No. 952 has passed.

Mr. DENT. I am sorry but the Chair put the bill through with so much speed I could not get my amendments introduced.

The PRESIDING OFFICER. Does the gentleman from Westmoreland desire to offer amendments to House Bill No. 952?

Mr. DENT. Yes, Mr. President.

RECONSIDERATION OF HOUSE BILL No. 952

Mr. TALLMAN. Mr. President, in order that the gentleman from Westmoreland may have opportunity to offer his amendments, I move that the Senate do now reconsider the vote by which House Bill No. 952, passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted with the majority.

Mr. DENT. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the majority.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. DENT. Mr. President, I desire to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 16, by striking out the bracket before the word "Provided"; Amend Section 2, page 5, line 18, by striking out the bracket after the word "member"; Amend Section 2, page 6, line 1, by striking out the bracket before the word "of"; Amend

Section 2, page 6, line 5, by striking out the bracket after the word "conditions".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I request that my colleagues vote down the amendments.

Mr. DENT. Mr. President, these amendments are very serious amendments. They deal with the vital question of unemployment compensation. The answer that you give on your vote on these amendments determines your position on unemployment compensation and the philosophy behind the application of the Unemployment Compensation Law.

Unemployment compensation was never designed, in any instance, as anything but a measure to keep up the purchasing power in a given community when adverse conditions set in, so that the ball of depression would not get started rolling down hill at such a speed we could never stop it.

Those of us who were in on the original introduction and sponsorship of the unemployment compensation laws in Pennsylvania, introduced that legislation with a clear-cut mandate before us. The people of this great nation and of this Commonwealth of ours were in very dire straits due to a depression over which they had no control whatsoever.

The amendments that I have just introduced would strike out of this bill, House Bill 952, the provision that takes away from men and women in industrial disputes their compensation benefits. Some person or group of persons, some organization or group of organizations, have misled the people of this Commonwealth into the belief that strike benefits, unemployment compensation benefits, paid to strikers is the determining factor in the prolongation of an industrial dispute. I challenge that statement, Mr. President, because in the experience that we have had in this Commonwealth, no person has been able to point out to me, or to anybody else, where in any single instance the question of unemployment compensation benefits was the determining factor in the termination of an industrial dispute. On the other hand, I know of a case in which I was personally connected, where an industrial dispute ended the very week that the men who were unemployed because of a strike were to receive their initial unemployment compensation check. When a strike goes into the sixth week there is something more fundamental, there is something of a graver situation at stake than the mere payment of an unemployment compensation check. Any person in this room who has ever had any dealings whatsoever in a labor dispute knows that when a strike has transpired and has gone on for a period of six weeks, the question of unemployment compensation payment does not enter into the settlement at all.

Strikes are not called in order that men and women may receive compensation checks. Strikes are called because something has happened in the labor relationship between employer and employe that has gone beyond the mere settlement of that particular dispute.

Therefore, Mr. President, I have introduced this first set of amendments to reinstate that part of the law that they are trying to strike out, which deprives men and

women, who are unemployed because of a labor dispute for a period of six weeks, of their unemployment compensation.

I might say in passing, Mr. President, that what you are doing with this particular amendment is again catering to that scavenger type of industry whose entire welfare depends upon the health and the welfare of the basic industries in this Commonwealth and which are very seldom, if ever, in conflict with a strike dispute, and therefore, Mr. President, I say to you that the basic industries and the people of Pennsylvania will pay for this type of legislation, because those persons who are deprived of unemployment compensation will only be put upon the relief rolls of the Commonwealth, to be paid out of the common till. There is no other method by which their families can be taken care of. You are again catering to that group of industries that enjoy, because of the nature of their employment, a static employment schedule, but those of us who are interested in the heavy basic and durable goods industries which have fluctuating employes, know they have labor disputes, and so long as one man works for another, so long as one man works with his hands and another with his financial backing, there are going to be labor disputes, whether we pass one or a thousand laws, and the only thing that we can do, I believe, is to make it possible for everybody to exist on somewhere near an even keel when such disruptions come into our labor relations picture and I am requesting that the members of this Senate consider seriously this legislation and these amendments at this time.

Mr. TALLMAN. Mr. President, I merely want to say to the gentleman from Westmoreland that every one of the amendments he has just offered have already been adopted in the amendments introduced by the gentleman from Potter, Senator Berger.

Mr. DENT. Mr. President, my amendments include that portion of his amendments which deal with a strike-bound plant, where the employe is locked out of his particular job position, because there is a labor dispute involving another section of the same plant and that has been adopted, that is true.

However, Mr. President, the other features of the bill would put under the Unemployment Compensation Act those individuals who are directly connected with and participating in the labor dispute. The amendments of the gentleman from Potter, which he was kind enough to show me and which I readily agreed to on behalf of the Democratic caucus, would pay unemployment compensation benefits to persons who are not directly connected or participating in a labor dispute. That is true and has been amended and corrected.

However, the main primary question that we are now concerned with is the question of whether or not we are going to substitute direct relief out of the pockets of innocent bystanders in a labor dispute, or whether we are going to assess against both the employes and the employers in a strike-bound plant the cost of maintaining the families of the individuals who are on strike at any time.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT, and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. DENT. Mr. President, I offer the following amendments to House Bill 952. By way of explanation, before the Senate gets confused on the issue, I would like to call their attention to the fact that these amendments deal with the payment schedule. This payment schedule is contained in a Senate Bill that I introduced early in this session of the Legislature.

House Bill 952 is sort of—in the vernacular in the game of boxing they would call it a Sunday punch bill—because it contains a Sunday punch aimed to knock out certain benefits that labor is receiving and then, on the other hand, it gives them certain additional benefits. It increases the weekly pay benefit period from twenty to twenty-four weeks.

However, in the bill, if you will read it carefully, you will find that when the fund reaches a certain level or floor, this increase is automatically taken away and reverts back to the twenty-week payment period.

Along with that there is another little feature there that might astonish some of the members of the Senate, in that the benefit payment today is \$20 a week; however, under the terms of this bill, when the fund reaches a certain level, automatically that drops back to \$18 a week. I do not know whether every member of the Senate wants to participate in a piece of legislation that is designed, as I understand it, to do one thing and yet contains in the Act itself some very dangerous features. Someone said to me "You know that the fund will never reach that level." I said to that person, Mr. President, that there are upon the calendar now certain other bills dealing with unemployment compensation which, as I understand it, are going to be passed by this Senate—if they pass a merit rating bill, if they pass the Senator Wood bill that gives a further reduction when the fund reaches a certain high point, and if the drain upon the fund reaches the level as predicted by the Governor when he predicted a depression of untold proportions, you can easily see that these two features are well designed and well planned to deprive labor of certain benefits that they now enjoy.

The members of the Senate have made their minds up, as I understand it. However, it would be unfair on the part of someone who has read the Act, and knows what

is in it, not to at least inform the members of the Senate at least what the bill contains. I said it was a Sunday punch bill, and I am afraid it is both a left and right-handed Sunday punch bill, because it is supposed to give something and yet it sets up a proviso to take away even that which they hold now. Coupling that with the elimination of benefits to strikers, you have before you one of the worst pieces of anti-labor legislation that has ever been introduced in the Senate of Pennsylvania.

Mr. President, after the clerk reads the amendment I desire that the roll be called on the question of the adoption of the amendment.

The Clerk read the amendments as follows:

Amend title, page 2, fifth line from last line of title on said page, by inserting after the word "the" "amounts and"; Amend Section 2 (Section 404, page 11, line 17, by placing a bracket before the word "multiplied"; Amend Section 2 (Section 404), page 12, line 5, by placing a bracket after the word "year" and inserting immediately thereafter "for a period not to exceed twenty-six (26) weeks"; Amend Section 2 (Section 404), page 18, lines 1 to 21 inclusive, by striking out all of said lines; Amend Section 2 (Section 404), page 19, lines 1 to 21 inclusive, by striking out all of said lines; Amend Section 2 (Section 404), page 20, lines 1 to 21 inclusive, by striking out all of said lines; Amend Section 2 (Section 404), page 21, lines 1 to 21 inclusive, by striking out all of said lines; Amend Section 2 (Section 404), page 21, by adding after line 21, the following:

Table Specified for the Determination of Rate of Benefits (Section 404 Pennsylvania Unemployment Compensation Law)

Part A	Part B	Part C
Wages Paid in Highest Quarter of Base Year	Weekly Benefit Rate	(Section 401 (a)) Qualifying Wages in Base Year
\$288-312	\$12	\$360
313-337	13	390
338-362	14	420
363-387	15	450
388-412	16	480
413-437	17	510
438-462	18	540
463-487	19	570
488-512	20	600
513-537	21	630
538-562	22	660
563-587	23	690
588-612	24	720
613 or more	25	750

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—34

Becker,	Farrell,	Mahany,	Wade,
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Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Doehla,
Donlan,

Frazier,
Geitz,
Hare,
Heyburn,
Homsher,
Kephart,
Letzler,
Lord,

Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Tyler,

Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Walker,
Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend page 3 by inserting after line 20 the following:

Section 2 Clause (a) of section six hundred twenty-one point one of said act as amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 148) is hereby further amended to read as follows:

Section 621.1 Group Accident and Health Insurance (a) Group Accident and Health Insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employees or members and in addition may include the employees' or members' dependents written under a master policy issued to a summer camp scout troop college school system school or other institution of learning or to the head or principal thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to any association or organization of employees of one employer its affiliates or subsidiaries or to the members of any labor union bar association medical dental or other professional society volunteer fire department automobile club or association or to any organization or association of Federal or State employees or school teachers or school employees or nurses where officers members employees or classes or departments thereof may be insured for their individual benefit

Section 3 The provisions of this act shall become effective immediately upon final enactment

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendment:

Amend title, page 2, by adding after the word "insurance" the following: "and further defining group accident and health insurance".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on second reading, entitled,

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1021, on second reading, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants or relisting for certain licenses.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and Making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1043, on second reading, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail

go over in its order.

The PRESIDING OFFICERS. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on second reading, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commis-

sions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department, boards and commissions shall be determined," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State

Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the salary of the chairman of the Pennsylvania State Board of Censors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SPECIAL ORDER OF BUSINESS

Mr. TALLMAN. Mr. President, on Tuesday, June 3, 1947, I move that Senate Bill No. 230, Senate Bill No. 280, Senate Bill No. 361, Senate Bill No. 677, Senate Bill No. 678, Senate Bill No. 723, Senate Bill No. 775, Senate Bill No. 801, House Bill No. 826, House Bill No. 952, House Bill No. 1001, and House Bill No. 1076, be made a special order of business for 1:00 o'clock p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion. The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. HOMSHER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. HOMSHER and BERGER read in place and presented to the Chair Senate Bill No. 834, entitled:

An Act relating to the public school system; prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents, superintendents of special education, supervisors of agriculture, supervisors of homemaking and district superintendents; providing for reimbursements by the Commonwealth, and for reimbursements by school districts for pupils attending schools of other districts; imposing duties on certain county officers; and repealing inconsistent legislation.

Which was committed to the Committee on Education.

The PRESIDING OFFICER. The Chair at this time desires to call to the rostrum the President pro tempore of the Senate, the gentleman from Dauphin, Mr. Taylor.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 8, entitled:

An Act to further amend section one of the act, approved the twenty-third day of June, one thousand eight hundred eighty-five (P. L. 146), entitled "An act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," providing that such licenses may be procured in any county; validating all marriages heretofore contracted thereunder.

House Bill No. 161, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and providing penalties.

House Bill No. 206, entitled:

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

House Bill No. 478, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

House Bill No. 779, entitled:

An Act to amend section forty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "Divorce Law," providing for a rule upon respondent to furnish a bill of particulars in certain cases.

House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given.

House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purposes

House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families, and to declare valid and legal all contracts, agreements, obligations, undertakings, indebtedness, appropriations and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further providing for the membership of the State Military Reservation Commission.

House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, June 3, 1947, at 11:30 o'clock, a. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:39 o'clock, p. m., Eastern Standard Time until Tuesday, June 3, 1947, at 11:30 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, June 2, 1947

The House met at 3:30 p. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Father Francis Molino, Pastor of the Congregation of the Most Precious Blood of the Roman Catholic Church of Hazleton, Pennsylvania, guest of Honorable John J. Mikula, offered the following prayer:

O God of infinite majesty, of infinite mercy, justice and wisdom, turn a kind look, in this solemn hour, upon this assembly hall of Legislators, upon these men of state, who, gathered here in Thy Name, are gathered here to study, to discuss and resolve the vital problems for the benefit of this Commonwealth.

O Almighty God, illuminate their minds, guide their thoughts, assist them in their resolutions which they are about to take in this assembly hall of Legislature and make them to cast aside any personal interests, looking for nothing other than your glory, the betterment of the people and the good prestige of this great State.

Your divine benediction, O great God, descend abundantly upon each Representative and particularly upon our Governor, so that in a high manner be among them harmony and ideal justice for the moral interest and material progress for the people of Pennsylvania, through the merits of your divine Son our Savior and Redeemer Jesus Christ, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 29, 1947.

The Clerk proceeded to read the Journal of Thursday, May 29, 1947, when, on motion of Mr. MOONEY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RESOLUTIONS

RECALLING HOUSE BILL No. 445 FROM GOVERNOR

Mr. PROPERT asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 2, 1947.

Resolved (if the Senate concur), that House Bill No. 445, Printer's No. 447, entitled "An act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 898 FROM GOVERNOR

Mr. BROWN asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 2, 1947.

Resolved (if the Senate concur), that House Bill No. 898, Printer's No. 321, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall

be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 373.

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 644.

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 685.

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions with the Department of Welfare for purchase or condemna-

tion of land for construction of new buildings for repair and alterations to and replacement of existing building and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

Referred to the Committee on Appropriations.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 29, 1947.

Resolved (if the Senate concurs), that House Bill No. 964, Printer's No. 357, entitled "An act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled 'An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth' changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters," be recalled from the Governor for further amendments.

PUPILS OF HECKTOWN CONSOLIDATED SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have as guests at this afternoon's session pupils of Hecktown Consolidated School, Lower Nazareth Township, Northampton County, under the supervision of their teacher, Mr. Arthur Lapp. They are the guests of the gentleman from Northampton, John A. Jones.

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 219.

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district subject to the control of the respective political committee of which they are members

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 865.

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8.

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder

HOUSE BILL No. 161.

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties.

HOUSE BILL No. 206.

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

HOUSE BILL No. 478.

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of

damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employees and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

HOUSE BILL No. 779.

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

HOUSE BILL No. 1010.

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purpose

HOUSE BILL No. 1011.

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto

HOUSE BILL No. 1060.

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," further providing for the membership of the State Military Reservation Commission.

HOUSE BILL No. 1225.

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions defining the powers and duties of the Governor and other executive officers and of the several administrative departments

boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 217.

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities.

SENATE BILL No. 233.

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

SENATE BILL No. 263.

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels and increasing penalties.

SENATE BILL No. 366.

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth.

SENATE BILL No. 448.

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such

licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances

SENATE BILL No. 552.

An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects.

SENATE BILL No. 616.

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate:

Senate Bills for concurrence 101, 172, 533, 546, 634, 635, 645, 707, 726, 741, 762, 588.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 18, 19, 20, 23, 24, 25, 57, 106, 215, 314, 336, 393, 428, 461, 465, 503, 518, 533, 534, 630, 642, 645, 754, 788, 832, 871, 884, 1008, 1050, 1066, 1109, 1232, and 1335.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 18, Printer's No. 473, entitled "An act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 19, Printer's No. 472, entitled "An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled 'An act authorizing cities of the first and second class and second Class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the

expenses of Memorial Day and Armistice Day' including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organization to which certain appropriations may be made."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 20, Printer's No. 471, entitled "An Act to amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 23, Printer's No. 470, entitled "An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' including the American Veterans of World War II (AMVETS) and the Marine Corps League among the organizations exempt from payment of registration fees of vehicles used by such organization."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 24, Printer's No. 469, entitled "An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 25, Printer's No. 468, entitled "An Act to further amend section ones of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled 'An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution' including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations entitled to the printing of convention reports."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 57, Printer's No. 598, entitled "An Act to add section three thousand seven hundred twenty-two to the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 106, Printer's No. 462, entitled "An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolution rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolution rules and regulations at such sessions."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 215, Printer's No. 200, entitled "An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled 'An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' including within the definition of State employee employees of the Pennsylvania Turnpike Commission."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 314, Printer's No. 664, entitled "An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled 'An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions' further prescribing the employes that are required to become members of the pension system of such city and removing optional rate of contribution."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 336, Printer's No. 203, entitled "An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further changing the provisions of the act relating to the titling of commercial motor vehicles."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 344, Printer's No. 524, entitled "An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled 'An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty

for forging or making false statements regarding certificates' changing compensation of board members."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 393, Printer's No. 645, entitled "An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled 'An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties' further regulating such weights and measures and increasing penalties."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 428, Printer's No. 153, entitled "An Act to amend section two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled 'An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation' by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 461, Printer's No. 62, entitled "An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers of all departments and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by allowing State airports to be leased for periods not to exceed five years."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 465, Printer's No. 66, entitled "An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 503, Printer's No. 658, entitled "An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by clarifying the law with reference to shooting within safety zones making it unlawful for certain persons to wilfully disturb wild birds or wild animals within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 518, Printer's No. 156, entitled "An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended 'An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions

therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas or balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents' authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 533, Printer's No. 100, entitled "An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled 'An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases' authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 534, Printer's No. 101, entitled "An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled 'An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto' by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entireties and validating certain transactions."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 630, Printer's No. 105, entitled "An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled 'An act authorizing a married woman to make conveyances of real estate to her husband and validating all such conveyances heretofore made' authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme sole."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 642, Printer's No. 338, entitled "An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 645, Printer's No. 633, entitled "An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled 'An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relating thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith' permitting employment of male minors sixteen years of age or over in public bowling alleys."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 754, Printer's No. 634, entitled "An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising

amending and consolidating the laws relating thereto' by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees extending the power of the retirement board in investing the money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations and in certain cases giving employees of such counties credit for time spent in military service."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 788, Printer's No. 522, entitled "An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 832, Printer's No. 293, entitled "A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled 'An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties' providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 871, Printer's No. 215, entitled "An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the
Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 884, Printer's No. 216, entitled "An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the 'Documentary Stamp Tax Act' approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1008, Printer's No. 270, entitled "An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' empowering boards of townships commissioners to establish land subdivision regulations."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1050, Printer's No. 561, entitled "An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1066, Printer's No. 451, entitled "An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1109, Printer's No. 503, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of

prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further providing for the classification registration and regulation of tractors and the licensing of their operators."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1232, Printer's No. 492, entitled "An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1335, Printer's No. 621, entitled "An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven."

JAMES H. DUFF

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 8.

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder.

HOUSE BILL No. 161.

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties.

HOUSE BILL No. 206.

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

HOUSE BILL No. 478.

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employees and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

HOUSE BILL No. 779.

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of the bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases.

HOUSE BILL No. 865.

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

HOUSE BILL No. 1010.

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purpose.

HOUSE BILL No. 1011.

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto.

HOUSE BILL No. 1060.

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State normal schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission.

HOUSE BILL No. 1225.

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules, reported as committed, House Resolution No. 58.

RESOLUTION

CERTIFIED COPY OF SENATE BILL No. 22

Mr. WATKINS asked and obtained unanimous consent to offer a resolution and for its immediate consideration. The resolution was read, considered and adopted as follows:

In the House of Representatives, June 2, 1947.

Whereas, Senate Bill No. 22, Printer's No. 42, entitled:

"An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798, No. 591), entitled "An act providing a fixed charge, payable by the Commonwealth on lands acquired by the State and the Federal Govern-

ment for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks, and the distribution of the same for county, school, township, and road purposes, in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amounts which the counties will receive from the State for forest reserves."

the official copy of which was referred by the Speaker to the Committee on State Government, Wednesday, March 19th, 1947 has been lost.

Be It Resolved, That the Chief of Clerk of the House hereby is directed to request the Chief Clerk of the Senate to furnish to the House for the Committee on State Government a certified copy of Senate Bill 22, Printer's No. 42, which copy shall be substituted for the original, for the consideration of the Committee on State Government.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 214, entitled:

An Act to reenact and amend the act approved the nineteenth day of March one thousand nine hundred forty-three (Pamphlet Laws 18) entitled "An act authorizing the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employees and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" extending the provisions thereof for an additional period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Mr. ANDREWS. Mr. Speaker, I desire first to have the attention of the Majority Leader. I desire to call up on page 14 of today's calendar House Bill 417, Printer's No. 593.

If any of the Majority Leader's delegation are in caucus, and he would desire that this request be deferred until they have returned to the chamber, I will delay it, because I have no desire to catch him unprepared.

Mr. SORG. Mr. Speaker, I am grateful to the gentleman. I want to assure him also that I am surprised. I wonder if the gentleman would delay his request until I have an opportunity to confer with him for just a moment?

Mr. ANDREWS. I will, Mr. Speaker.

The SPEAKER. The Chair might also suggest to the Majority Leader that there has been established a precedent of conferring with the sponsor in the matter of calling up a bill. You might confer also with the sponsor.

Mr. ANDREWS. Mr. Speaker, in this case I will not confer with the sponsor.

The SPEAKER. The gentleman has a right to call up the bill. The Chair is simply trying to be cooperative.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 694, entitled:

An Act creating a Pennsylvania State Commission for Centennial and Victory Exposition of Liberia defining the

powers and duties of said commission providing for participation in the said exposition and making an appropriation to the Department of Commerce for the use of said commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 857, entitled:

An Act establishing a State Institution Retirement System providing for payments upon retirement death disability involuntary retirement from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees covered by the provisions of this act and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 943, entitled:

An Act to amend section thirty-three and to add section thirty-five point one to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the taxing districts shall pay the premium on bonds insuring tax collectors against losses of money through no fault of their own.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 124', entitled:

An Act to further amend subsection (a) section nine hundred five of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating issuance of permits for excessive size and weights

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing

duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing the liquid fuels taxable under the provisions of said act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1337, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1339, entitled:

An Act making appropriation to the Department of Property and Supplies to purchase repair restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland Delaware County Pennsylvania as an historic shrine.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TURNER. On Thursday last, Mr. Speaker, the gentleman from Adams, Mr. Worley, asked that the names of the four members from Delaware County be added as co-sponsors to House Bill 1339. He asked for unanimous consent, and I heard no objection, but it does not appear here on the calendar.

The SPEAKER. For the information of the gentleman the Journal will show that there was no objection and that permission for additional sponsors was granted.

Mr. TURNER. I thank you, Mr. Speaker.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1342, entitled:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty seven

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to re-

port to and be supervised by the Insurance Commissioner; and repealing existing laws," by further providing for the investment of funds by domestic societies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 274, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain tract of land and a certain right of way in the Township of Upper Saint Clair County of Allegheny Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 382, entitled:

An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KLINE offered the following amendments:

Amend page 4, section 2, line 3, by inserting after the word "two" and before the word "corporations" the following: "such".

Amend page 4, section 2, line 4, by striking out at the beginning of the line after the word "to" and before the word "reincorporate" the following: "[such]".

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, six and seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof and changing certain capital and surplus requirements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act to amend Sub-section (b) of section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such

distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments providing for refunds; imposing penalties; and making an appropriation," and providing a uniform ratio for distribution of the unencumbered balance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 580, Printer's No. 426 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain officers and employers of cemetery companies engaged in selling cemetery plots from the provisions of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 680, Printer's No. 305 and

Senate Bill No. 736, Printer's No. 370

were passed over at the request of the SPEAKER.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. ANDREWS,

The House resumed the consideration on second reading of House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. FLEMING and CHARLES C. SMITH offered the following amendments.

Amend sec. 3 (Sec. 1241), page 15, line 7, by striking

out the words "nine hundred" and inserting in lieu thereof: "one thousand four hundred".

Amend sec. 3 (Sec. 1241), page 15, line 8, by striking out "(\$900)" and inserting in lieu thereof: "(\$1400)".

Amend sec. 3 (Sec. 1241), page 15, by striking out all of line 9 and inserting in lieu thereof "every school year thereafter".

On the question,

Will the House agree to the amendments?

Mr. CLARENCE C. SMITH. Mr. Speaker, we of the first class school districts, do not feel that under House Bill 417 we would be able to give our teachers a substantial increase, that is, with the minimum subsidy of nine hundred dollars. Under the bill under which we are presently working, House Bill 403, we have a minimum subsidy of six hundred dollars and a maximum of eighteen hundred dollars. We also have under House Bill 417 a minimum of nine hundred dollars and a maximum of twenty-six hundred dollars. It seems to be a rule of thumb that the maximum should be three times the amount of the minimum. That may be all right, but under House Bill 403 that gives us a twelve hundred dollar differential between the minimum and the maximum subsidy. Under House Bill 417 that gives us a seventeen hundred dollar differential.

We have no objection in the first class school districts if the smaller districts feel that they want to have a maximum subsidy of twenty-six hundred dollars. We are perfectly willing to give it to them, but we feel that in our first class school districts we should have a higher subsidy than nine hundred dollars. There is five hundred dollars difference between twelve hundred dollars and seventeen hundred dollars.

According to the Governor's own statement, which I see in the papers, he claims that the Commonwealth of Pennsylvania pays 40 percent of the educational costs.

If that be true Philadelphia and Pittsburgh receive 13 percent, which makes some of the smaller districts receive 70 or 80 percent.

Again we in Philadelphia and Pittsburgh realize that we have more taxable objects to tax and we feel that we are willing to carry some of the smaller districts, but we certainly feel that we want to have a higher subsidy than nine hundred dollars. That nine hundred dollars subsidy would not alone apply to the first class school districts, but would also bring in the second, third and fourth class districts from the nine hundred subsidy, they would be increased to fourteen hundred dollars.

We feel that we are justified in asking for it and we feel it is the only means to give the teachers in those districts what they desire, that is the reason I offer these amendments.

Mr. SORG. Mr. Speaker, little did I realize when House Bill 417 was placed on the calendar, in view of the statements that were made at that time, and in view of the budgetary problems that were discussed on occasions, that I would be here to defend House Bill 417 in its original form. But, Mr. Speaker, I do seriously oppose these amendments for the sake of House Bill 417 in its original form, because if at any time it was outside the realm of possibility with the funds available that were raised by this session of Legislature, it is absolutely hopeless should we adopt these particular amendments

that apply solely and exclusively to first class districts. And so that even the possibility might be retained I ask the Members representing predominately the second, third and fourth class districts to vote against these amendments.

Mr. CHARLES C. SMITH. Mr. Speaker, I would like to say that these amendments do not apply only to first class districts, but apply to any districts that are working on a minimum subsidy. That takes in most of the second class and a good bit of the third class.

Mr. SORG. Again, Mr. Speaker, it just cannot be done.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker.

Mr. CHUDOFF. Is it true, Mr. Sorg, that House Bill 417 if passed in its original form the teachers in Philadelphia would not get very much of an increase?

Mr. SORG. That is correct, Mr. Speaker.

Mr. CHUDOFF. As a matter of fact, Mr. Speaker, did I understand Mr. Sorg that this bill in its original form might result in a cut in salaries to some of the teachers of Philadelphia?

Mr. SORG. I have no knowledge, Mr. Speaker, of that particular situation. If the gentleman would make that representation on the floor of this House I would accept it.

Mr. CHUDOFF. I thank the gentleman, Mr. Speaker.

Mr. Speaker, ever since I have been coming to the Legislature and a Member of this House, teachers' salary increase has always been at stake, and after thinking about it all session the bill is usually passed in the wee small hours of the morning on the day before adjournment sine die. Each time the teachers of Philadelphia get less and less, and it seems we are going to have a repetition at this session unless the amendments of the gentleman from Philadelphia are adopted.

Mr. FLEMING. Mr. Speaker, I would rise in defense of these amendments. I was somewhat amazed when the bill was called up, but I did go along with the gentleman from Philadelphia, Mr. Smith, in offering these amendments. I find myself in the position of having to disagree with the Majority Leader, Mr. Sorg, in the fact that they did not apply only to first class districts. We have thirty-seven school districts in the County of Allegheny which can only be benefitted by virtue of raising the minimum subsidy, and in view of that fact and in view of the fact that House Bill 417 may pass this House, and to do all that can be done for the school districts of Allegheny County and many other districts throughout the State, I would urge the Members to vote favorably on these amendments.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair is unable to decide.

Whereupon, A division was had, 65 Members voting in the affirmative and 98 in the negative, the question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section was read.

The SPEAKER. Does the gentleman from Allegheny, Mr. Fleming, and the gentleman from Philadelphia, Mr. Charles C. Smith, withdraw the amendments to section 4?

Mr. CHARLES C. SMITH. Yes, Mr. Speaker.

The fourth section was read and agreed to.

The fifth to eleventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Mr. SORG. Mr. Speaker, I should like to introduce a motion at this time that is not debatable. I would, therefore, think it advisable for the House to give its unanimous consent to make brief statements in connection with it.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe that there has been no one more sincerely interested in securing the enactment of an adequate teacher's salary bill than I. It has come about, however, that some of the spokesmen for the PSTA, whether responsible or irresponsible, I do not know, have nevertheless circulated a report widely in this Commonwealth that it was because of moves that I have made, the stand that I took for a period of conference that action upon House Bill 417 was not taken, and so one of the reasons why I made the move today was in response to that accusation, because frankly, gentlemen, I think that someone somewhere in the ranks of the PSTA is playing mighty small politics when they say that if it had not been for certain attitudes taken by the Minority Leader there would have been decisive action on House Bill No. 417.

PERMISSION TO ADDRESS HOUSE

Mr. SORG asked and obtained unanimous consent to address the House.

Mr. Speaker, I feel that every Member of this House is most conscious of the problem which is dealt with in House Bill 417. I feel that every Member of this House recognizes the need for legislation that does deal with that problem. I feel also as the gentleman from Cambria does, however, that there has arisen a misunderstanding as to the motives of the Members of this House in dealing with that problem.

I recall specifically several weeks ago that suggestions were made on the floor of this House that we move cautiously and deliberately with the subject matter of the bill, and it is in just that manner that we have been moving. I have been given to understand that other legislation before this Assembly, that also deals with the problems, has been the subject of serious discussion. I understand that the sponsors of various measures dealing with the problem have been conferring with each other, that the pros and cons of the various measures have been discussed and that the financial situation of the Commonwealth has been discussed.

It has come to my attention this morning that legislation embodying certain mutual suggestions will be

brought before this body for its serious consideration.

It is my understanding also that there is considerable merit in the measures that will be brought before us for consideration, and so that there will not be any hasty move I am asking that until the Members are given full and complete opportunity to consider alternatives and so that we do not get into an unnecessary jam, and not for the purpose of eliminating any possibility of consideration for House Bill No. 417, but only that we shall have an opportunity to consider alternative measures, I would move that House Bill No. 417 be laid on the table.

HOUSE BILL No. 417 LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 417 be laid on the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Lovett and Mr. Weiss and were as follows:

YEAS—85

Baumunk,	Graybill,	McCosker,	Sproul,
Bonawitz,	Greer,	McKinney,	Stimmel,
Boorse,	Gyger,	Moore, C. E.,	Stockham,
Bower,	Hall,	Moore, H. A.,	Stonier,
Brunner,	Haudenshield,	Naumann,	Tahl,
Cook,	Hewitt,	Neff,	Thompson,
Cooper,	Hocker,	Nelson,	Tittle,
Costa,	Horan,	Pickens,	Tompkins,
Dague,	Imbt,	Price,	Turner,
Dalrymple,	Jennings,	Propert,	Vaughan,
Davison,	Johnson,	Reagan,	Waldron,
De Long,	Kelley,	Richter,	Walton,
Dye,	Kent,	Riley,	Waterhouse,
Ewing,	Kline,	Robertson,	Wescott,
Fiss,	Kratz,	Rose,	West,
Fleming,	Kurtz,	Rowen,	Wood,
Foor,	Laughner,	Royer,	Yeakel,
Frost,	Lee,	Serrill,	Young,
Getchey,	Lelsey,	Shoemaker,	Lichtenwalter,
Gibson,	Loftus,	Simons,	Speaker.
Goff,	Madigan,	Sorg,	

NAYS—78

Andrews,	Dix,	Madden,	Sarraff,
Bane,	Elder,	Mazza,	Schuster,
Barrett,	Erb,	McCullough,	Scott,
Beech,	Evans,	McMillen,	Smith, C. C.,
Bender,	Fish,	Mikula,	Snider,
Bentzel,	Flack,	Miller,	Stank,
Bloom,	Gallagher,	Mills,	Stuart,
Boies,	Greenwood,	Mooney,	Swope,
Brice,	Guthrie,	Najaka,	Thomassy,
Brown,	Helm,	Needham,	Toomey,
Buechlin,	Hoffman,	O'Connor,	Wachhaus,
Capano,	Johnston,	O'Donnell,	Wagner,
Chervenak,	Jones,	O'Neill,	Weidner,
Chudoff,	Jump,	Orban,	Weiss,
Clevenger,	Kirley,	Petrosky,	Wheeler,
Cochran,	Kohl,	Polaski,	Wolf,
Cole,	Krise,	Ragot,	Worley,
Cordier,	Livingstone,	Readinger,	Yester,
Crowley,	Lovett,	Robbins,	Yetzer,
Demech,	Lyons,		

NOT VOTING—42

Aaronson,	Haller,	Mohr,	Reilly, W. J.,
Brelsch,	Henry,	Morrison,	Root,
Cadwalader,	Hoopes,	Murray,	Sax,
Cassidy,	Kean,	Myers,	Scanlon,
Dennison,	Kemp,	O'Dare,	Smith, C. M.,
Depuy,	Layer,	Patten,	Sollenberger,
Efenberg,	Livingston,	Pichney,	Trout,
Feola,	McCormack,	Powers,	Upshur,
Goodling,	McDonald,	Reese, D. P.,	Verona,
Gorman,	Mihm,	Reese, R. E.,	Wallin,
Griffiths,	Mintess,	Reilly, J. M.,	Watkins,

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 246, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of three thousand five hundred dollars (\$3500) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the purpose of paying the commission's share of the cost of paying that section of Church Street in the Borough of Ambridge Beaver County Pennsylvania on which abuts the Harmony Society Cemetery and to pay for the commission's share of the cost of proposed paving of an additional section of said street on which abuts the Harmony Society Music Hall and Great House.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopas,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,

Flack,
Fleming,
Foor,
Frost,

Madigan,
Mazza,
McCormack,

Rose,
Rowen,
Royer,

Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—5

Cassidy,
Henry,

Sax,

Trout,

Upshur,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 708, as follows:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 341) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining pressures approved by the fire insurance underwriters along said highways streets roads and alleys or to provide for or acquire a water supply system equipped to supply sufficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within five hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the road tax The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

The B township supervisors shall annually assess or

cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highways streets roads and alleys within five hundred (500) feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts on any street highway road or alley upon which a water main is laid or within five hundred (500) feet of any fire hydrant on such street highway road or alley. The supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable. No such assessment shall be made against any farm land but vacant lots between built-up sections either tilled or untilled shall not be deemed to be farm lands. All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address. The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax. If the assessments or any of them remain unpaid at the expiration of not exceeding ninety (30) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection. The solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected. Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim. All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary. The tax collector and the treasurer shall make a report to the auditors of the township annually.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Chervenak,	Horan,	Naumann,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,

Cordler,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichpey,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Murtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Flsh,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker
Frost,			

NAYS—0.

NOT VOTING—5.

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 786, Printer's No. 738 and

House Bill No. 800, Printer's No. 761

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 933, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section two thousand five hundred eighteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows:

Section 2518 Notice to Taxables of Assessments. Appeals. When the time or time and place for the meeting or meetings of the board of revision and appeals shall have been fixed the assessor shall give or cause to be given at least five days' printed or written notice to each taxable of the city whose last previous assessment has been increased or diminished of the amount or sum for which such taxable stands rated in any assessment also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any year for any cause whatsoever together with the time and place of hearing appeals. Such notice may be served personally or by posting on the premises or by mailing the same to the last known address of the taxable. Any person dissatisfied or aggrieved by the assessment or any change thereof made by the assessor may appeal to the said board of revision and appeal and be heard at the time and place fixed in the notice.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensheld,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervanek,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Relly, J. M.,	Wheeler,
Erb,	Livingston,	Relly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0.

NOT VOTING—5.

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 958, as follows:

An Act to amend the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" changing the method of compensation designating the borough

council as the board of revision making assessments made hereunder the basis for determining borrowing power and tax levies for borough purposes prohibiting use of assessments made under this act for county purposes and providing for appeals from such assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" is hereby amended to read as follows

Section 1 Be it enacted &c That in counties having no county board of assessors the borough authorities may by ordinance declare its desire that assessments upon which borough taxes are based may be fixed by one or more appointees of the council Council shall thereupon appoint and reasonably compensate the assessors and the borough shall pay compensation to them no greater than that received by the elective borough assessors The assessors thus appointed shall have all the powers and duties and be subject to the same laws as elected assessors in so far as the assessment for borough taxes is concerned The assessments made shall be subject to revision and equalization by the borough council The council shall be the board of revision designated in section one hundred two clause (h) of the Municipal Borrowing Law Whenever any borough elects to come under the provisions of this act the assessments made shall determine and constitute the basis for the borrowing power of such borough All borough taxes levied under any act for any purpose shall be based on the assessments made hereunder and not on the assessments made for county purposes the assessments made hereunder for borough purposes shall not be applied to or used for county purposes any person aggrieved by any assessment made for borough purposes under the provisions of this act may appeal to the board of revision provided for hereby and from the determination of the board of revision to the court of common pleas of the county and to the supreme or superior court in the manner within the times and under the same procedure and with like effect as provided in sections seven hundred two seven hundred four and seven hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) known as "the fourth to eighth class county assessment law" The elected borough assessors shall perform all other duties required by law By repealing the ordinance all powers given hereunder shall cease

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I would like to interrogate the sponsor of the bill, the gentleman from Bucks, Mr. Stockham.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STOCKHAM. I would positively "love it," Mr. Speaker.

Mr. LOVETT. I thank the gentleman. Would the gentleman mind telling me then what the intentions of the amendments to this bill were when we amended it about a week or two ago?

Mr. STOCKHAM. Mr. Speaker, I would say that in order to have it amended it was sent back to committee with the amendments for the committee's reconsideration and study in order to further clarify the bill.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman what did the amendments do.

Mr. STOCKHAM. Well, Mr. Speaker, that is the very thing they did.

Mr. LOVETT. Mr. Speaker, I am getting more confused all the time. Would the gentleman read the amendments?

Mr. STOCKHAM. On page three, Mr. Speaker?

Mr. LOVETT. I do not have the bill. Will the gentleman go ahead.

Mr. STOCKHAM. "The assessment made hereunder for borough purposes shall not be applied to or used for county purposes. Any person aggrieved by any assessment made for borough purposes under the provisions of this act may appeal to the board of revision provided for hereby"—that is the Borough Council—"and from the determination of the board of revision to the Court of Common Pleas of the county, and to the Supreme or Superior court in the manner, within the times and under the same procedure and with like effect as provided in section 702, 704 and 705 of the Act approved the twenty-first day of May nineteen forty-three, Pamphlet Laws 571, known as the 'fourth to eighth class county assessment law.'"

Mr. LOVETT. Mr. Speaker that will be all; I thank the gentleman.

Mr. Speaker, the only difference in the bill now and the original bill is that it gives the right to appeal to the court from the board of revision, which is your council in this case.

As I stated before, the only reason for this bill is to allow additional tax on real estate, and I think ever since I have been a Member of the Legislature, and possibly long before that we have been trying to take tax off real estate. We all agree that real estate is over-taxed.

Now at this late stage of the game we find that my good friend, Mr. Stockham, has introduced this bill by request—and I don't blame him for introducing it "by request," because I do not feel that he is very much in sympathy with this kind of legislation himself. That is the reason he introduced it "by request."

So, my friends, in fairness to the real estate people of Pennsylvania, who have been kicked all around, even by rent control and everything else I certainly feel that this is not a good time to pass this kind of legislation, and I would ask the membership of this House to defeat this bill.

Mr. STOCKHAM. Mr. Speaker, there is one point that I would clarify in the statement of Mr. Lovett. No one is more interested than I in seeing relief from real estate taxes. There is a difference between a tax and an assessment, and the purposes of the assessments relate themselves constantly to the tax rate. The design always is to raise the necessary money to operate the borough government. Where there may be a difference or a differential on the basis upon which assessments are made and what should be the true relation of one assessment to another, when this gives to a borough council the right to appoint an assessor. On that point I would like to clarify our thinking.

Mr. O'CONNOR. Mr. Speaker, I think this bill should properly be classified as a bill of confusion. The bill as originally written would not merit the approval of the request sponsor. Now we should take an interest in this bill and defeat it. We know at the present time we

elect our borough assessors, and our appeal, if we are dissatisfied, is from the Board of Assessors to the County Commissioners as a Board of County Tax Revision.

Under this bill after the people have elected by majority vote the assessors of the borough, the borough council would be empowered to appoint another assessor to make a complete and independent assessment, and this assessment naturally would not agree with that of the regularly chosen borough assessor. If it did not suit the people, you would appeal then to your borough council, and if you were dissatisfied with the decision of the borough council then you would appeal to your Court of Common Pleas in the county.

Now, I have seen those boroughs that have decided to have two assessors and, that ultimately the court of common pleas, your county judges would make the borough assessments, and I feel, Members of the House, that we who live in the boroughs do not want this bill passed and I hope you will vote it down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—27

Boorse,	Jennings,	O'Dare,	Thompson,
Bower,	Kelley,	O'Donnell,	Turner,
Brunner,	Lee,	Rowen,	West,
Davison,	Livingston,	Smith, C. C.,	Wolf,
De Long,	McCosker,	Smith, C. M.,	Worley,
Gallagher,	Mintess,	Stockham,	Yeakel,
Helm,	Mohr,	Tahl,	

NAYS—130

Andrews,	Foor,	Lovett,	Rose,
Bane,	Frost,	Lyons,	Royer,
Barrett,	Getchey,	Madden,	Schuster,
Baumunk,	Gibson,	Mazza,	Scott,
Beech,	Goff,	McCullough,	Snider,
Bender,	Goodling,	McKinney,	Sproul,
Bentzel,	Graybill,	McMillen,	Stank,
Bloom,	Greenwood,	Mihm,	Stimmel,
Boles,	Greer,	Mikula,	Stonier,
Bonawitz,	Guthrie,	Miller,	Stuart,
Breisch,	Gyger,	Mills,	Swope,
Brice,	Hall,	Mooney,	Thomassy,
Brown,	Haller,	Moore, C. E.,	Tittle,
Bucchin,	Haudenshield,	Moore, H. A.,	Tompkins,
Capano,	Hewitt,	Morrison,	Toomey,
Chervanek,	Hocker,	Najaka,	Vaughan,
Chudoff,	Hoffman,	Naumann,	Verona,
Clevenger,	Horan,	Needham,	Wachhaus,
Cochran,	Imbt,	Neff,	Wagner,
Cole,	Johnston,	Nelson,	Waldron,
Cook,	Jones,	O'Connor,	Walton,
Cooper,	Jump,	O'Neill,	Waterhouse,
Cordier,	Kean,	Orban,	Watkins,
Crowley,	Kemp,	Petrosky,	Weldner,
Dalrymple,	Kent,	Pickens,	Weiss,
Dye,	Kirley,	Polaski,	Wescott,
Elder,	Kohl,	Price,	Wheeler,
Erb,	Krise,	Propert,	Wood,
Evans,	Kurtz,	Ragot,	Yester,
Ewing,	Laughner,	Readinger,	Yetzer,
Flah,	Lelsey,	Riley,	Young,
Flack,	Livingstone,	Robbins,	Lichtenwalter,
Fleming,	Loftus,	Robertson,	Speaker,

NOT VOTING—48

Aaronson,	Gorman,	Myers,	Sax,
Cadwalader,	Griffiths,	Patten,	Scanlon,
Cassidy,	Henry,	Pichney,	Serrill,
Costa,	Hoopes,	Powers,	Shoemaker,
Dague,	Johnson,	Reagan,	Simons,
Demech,	Kline,	Reese, D. P.,	Sollenberger,
Dennison,	Kratz,	Reese, R. E.,	Sorg,
Depuy,	Layer,	Relly, J. M.,	Trout,

Dix, Efenberg, Feola, Fiss,	Madigan, McCormack, McDonald, Murray,	Reilly, W. J., Richter, Root, Sarraf,	Upshur, Wallin, Watson,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 787.

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissions and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 8, line 8 by inserting after the word "dollars and bracket" the words "ten million dollars."

Amend section 1, page 8, line 15, by inserting heavy brackets before the word "eight" and after the word "dollars", and inserting after the heavy bracket the words "ten million dollars".

Amend section 3, page 12, line 4, by striking out the second word "the" and line 5, by striking out the words "first day of June one thousand nine hundred forty-seven" and inserting in lieu thereof the words "immediately upon final enactment".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson, Andrews, Bane, Barrett, Baumunk, Beech, Bender, Bentzel, Bloom, Boies,	Gallagher, Getchey, Gibson, Goff, Goodling, Gorman, Graybill, Greenwood, Greer, Griffiths,	McCosker, McCullough, McDonald, McKinney, McMillen, Mihm, Mikula, Miller, Mills, Mintess,	Sarraf, Scanlon, Schuster, Scott, Serrill, Shoemaker, Simons, Smith, C. C., Smith, C. M., Snider,
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Bonawitz, Boorse, Bower, Breisch, Brice, Brown, Brunner, Bucchin, Cadwalader, Capano, Chervenak, Chudoff, Clevenger, Cochran, Cole, Cook, Cooper, Cordier, Costa, Crowley, Dague, Dalrymple, Davison, De Long, Demech, Dennison, Depuy, Dix, Dye, Efenberg, Elder, Erb, Evans, Ewing, Feola, Fish, Fiss, Flack, Fleming, Foot, Frost,	Guthrie, Gyger, Hall, Haller, Haudenschild, Helm, Hewitt, Hocker, Hoffman, Hoopes, Horan, Imbt, Jennings, Johnson, Johnston, Jones, Jump, Kean, Kelley, Kemp, Kent, Kirley, Kline, Kohl, Kratz, Krise, Kurtz, Laughner, Layer, Lee, Lelsey, Livingston, Livingstone, Loftus, Lovett, Lyons, Madden, Madigan, Mazza, McCormack, Frost,	Mohr, Mooney, Moore, C. E., Moore, H. A., Morrison, Murray, Myers, Najaka, Naumann, Needham, Neff, Nelson, O'Connor, O'Dare, O'Donnell, O'Neill, Orban, Patten, Petrosky, Pichney, Pickens, Polaski, Powers, Price, Propert, Ragot, Readinger, Reagan, Reese, D. P., Reese, R. E., Reilly, J. M., Reilly, W. J., Richter, Riley, Robbins, Robertson, Root, Rose, Rowen, Royer,	Sollenberger, Sorg, Sproul, Stank, Stimmel, Stockham, Stonier, Stuart, Swope, Tahl, Thomassy, Thompson, Tittle, Tompkins, Toomey, Turner, Vaughan, Verona, Wachhaus, Wagner, Waldron, Wallin, Walton, Waterhouse, Watkins, Watson, Weidner, Weiss, Wescott, West, Wheeler, Wolf, Wood, Worley, Yeakel, Yester, Yetzer, Young, Lichtenwalter, Speaker.
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NAYS—0

NOT VOTING—5

Cassidy, Henry,	Sax,	Trout,	Upshur,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 787.

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 2, 1947.

Resolved (if the Senate concur), that House Bill No. 898, Printer's No. 321, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith", be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 2, 1947.

Resolved, (if the Senate concurs), that House Bill No. 445, Printer's No. 447, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attend public schools", be recalled from the Governor for further consideration.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,
House Bill No. 975, Printer's No. 763 and
House Bill No. 980, Printer's No. 729
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1195, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police is hereby authorized to acquire by purchase or condemnation land with improvements thereon in Schuylkill County Pennsylvania suitable for use as a Pennsylvania State Police barracks

Section 2 The land shall not be acquired until the title thereto has been approved by the Department of Justice and the deed or deeds of conveyance shall be deposited with the Department of Internal Affairs

Section 3 Upon acquisition of any such property the

Department of Property and Supplies may alter improve or repair the same so that the building or buildings thereon may be utilized as Pennsylvania State Police barracks
Section 4 The sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price or damages in condemnation of said land and for the alteration improvement or repair of the same to effectuate the purpose of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMullen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buechin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Lara',	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

BILL PASSED OVER

There being no objection,

House Bill No. 1309, Printer's No. 786

Was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1338, as follows:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight thousand five hundred dollars (\$8500) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the fiscal biennium beginning the first day of June one thousand nine hundred forty-seven for the purpose of providing vaccine for the treatment of persons who may be assumed to be in danger of hydrophobia or rabies by reason of having been bitten by or having had probable infectious contact with an animal believed to have been suffering from said disease and who would find it a financial handicap to purchase it themselves Such vaccine shall not be furnished in cities where dog license fees are paid into the city treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Pentrack,	Wachhaus,
Crowley,	Kemp,	Plechney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,

Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fisi.,
Fiss.,
Flack,
Fleming,
Foor,
Frost,

Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—5

Cassidy,
Henry,

Sax,

Trout,

Urshur,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 100, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 163) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person be dismissed for reasons other than misconduct after having served as an employe for fifteen years or more but less than twenty years such employe shall have the right to elect to keep in the fund all contributions heretofore made to the fund and to continue making monthly payments to such fund in an amount equal to the amount last due and paid monthly while an employe When such payments continue until the former employe has contributed to the fund for a total of at least twenty years or until reaching the age of retirement whichever is the longer such person shall be entitled to receive a pension proportional to the pension which would have been received had the employe completed twenty years of service prior to dismissal Such proportion to be computed on the ration which the employe's actual time of service in months bears to twenty years Should any person so

employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his or her position or employment before attaining the age fixed for retirement by this act upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age for retirement at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained such age. Provided That any employee who has heretofore or shall hereafter be dismissed and who has been in the service of the city for a period of twenty-five (25) years or more and who has made payments into the pension fund for a period of twenty (20) years or more and who has reached the age of fifty (50) years shall upon application to the board of pensions receive the pension or compensation fixed by this act during the remainder of his or her life. Should any employee however become totally and permanently disabled after fifteen years of service he or she shall be entitled to the said pension. Provided years becomes totally and permanently disabled by reason That if any employee who has served less than fifteen of injury sustained in the actual performance of duty such employee shall be entitled to the said pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employee is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued. The pension paid to any one employee shall not be less than seventy-five dollars nor exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month. In the event of the death of any person receiving a pension under this act there shall be paid to the heirs or to the estate of such deceased person a lump sum representing the difference if any between the total contributions paid into the pension fund by him or her as an employee and the total pension payments received by him or her during his or her lifetime but such lump sum shall be paid only when such total contributions exceed the total pension payments made.

Section 2 Section five of said act as last amended by the act approved the twenty-sixth day of April one thousand nine hundred thirty-three (P. L. 81) is hereby further amended to read as follows:

Section 5 The city employees shall after the passage of this act pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of their monthly salaries or wages as fixed by the board of pensions in no event however paying at a rate greater than ten dollars per month which shall be applied to the purposes of this act. Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary received the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years. If at the time the beneficiary received the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to not less than two nor more than four per centum of his or her monthly pension until such time as his or her contributions shall have extended during a period of twenty years. If for any cause an employee contributing to the pension fund shall cease to be an employee of any such cities of the second class before said employee becomes entitled to the pension conferred by this act the total amount of the contributions paid unto the pension

fund by such employee shall be refunded to him or her in full without interest unless he or she has less than full pension rights under the provisions of section four of this act and elects at once to exercise such rights by keeping such contributions in the fund and making such further payments as may be required. Provided however If any such employee shall have returned to him or her the amount contributed as aforesaid and shall afterwards re-enter the employ of such city said employee shall not be entitled to the pension designated until twenty years after said reemployment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time the said employee first entered the service of said city. In the event of the death of any such employee before the said employee becomes entitled to the pension aforesaid the total amount of contributions aforesaid shall be paid over to the estate of the said deceased employee or to his or her heirs.

Section 3 Section six of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 748) is hereby further amended to read as follows:

Section 6 (a) Should any person holding position in said cities of the second class as laborer at a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing at any time within six months after the date of their employment and in that event only of becoming entitled to the pension provided by this act.

(b) Every new full time employee except as provided in subsection (a) of this section shall after serving a ninety (90) day probation period be required to join the pension fund and shall thereafter make contributions to such fund as provided in section five of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,

Demech,	Kratz,	Probert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 220, as follows:

An Act to further amend sections twelve thirteen and fourteen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by extending the time for payment of the tax without interest in certain cases staying execution of certain liens in certain cases and requiring the board to issue certificates of credit for overpayment in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections twelve thirteen and fourteen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" as last reenacted and amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 361) are hereby further amended to read as follows

Section 12 Interest The tax imposed by the third section of this act shall bear interest at the rate of six

per centum per annum from the date such tax is due and payable until thirty (30) days after the department shall make an assessment and thereafter at the rate of twelve per centum per annum until paid except that any tax found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date the tax was originally due and payable until paid

Any tax imposed by the third section of this act due and payable by any individual for any year during any part of which he served in the armed services of the United States in World War II may be satisfied upon payment prior to January first one thousand nine hundred forty-nine of the tax as originally due without the addition thereto of any interest or other penalty.

Section 13 Lien of Taxes (a) All taxes imposed under the third section of this act together with all penalties and interest shall be considered a public account after becoming due and payable in the manner prescribed in this act and as such shall be a lien upon the franchises and real property of the resident against whom the same are assessed after the same has been entered and docketed of record by the prothonotary of the county where the resident's franchises or property are situated

(b) The department may at any time transmit to the prothonotaries of the respective counties of the Commonwealth to be by them entered of record certified copies of all liens for taxes imposed by the third section of this act and penalties and interest upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed Provided That execution shall be stayed until January first one thousand nine hundred forty-nine in the case of any lien arising from any such tax imposed by the third section of this act due and payable by any individual for any year during any part of which he served in the armed forces of the United States in World War II

Section 14 Credits for Overpayment The Board of Finance and Revenue may allow a credit for any taxes imposed by the third section of this act and penalties and interest thereon paid to the Commonwealth to which the Commonwealth is not rightfully or equitably entitled Claims for such credits shall be made in accordance with the provisions of "The Fiscal Code" relative to petitions for refunds of taxes No petition for such credit shall be considered by the board unless filed with the board within two (2) years of the payment alleged to have been erroneously made

Upon the allowance of any such petition the credit so determined may be applied against any amount due or subsequently becoming due by such petitioner on account of taxes imposed by the third section of this act and penalties and interest thereon or may be assigned in whole or in part to any other taxable resident to be applied against any amount due or subsequently becoming due by such resident on account of taxes imposed by the third section of this act and penalties and interest thereon Upon the allowance of a petition for credit the board shall issue its certificate under its hand and seal and no credit claimed whether assigned or not shall be allowed unless evidenced by such certificate

The board shall issue its certificate of credit for any payment made by any individual on account of interest or penalty on any tax imposed by the third section of this act for any year during any part of which such individual served in the armed forces of the United States in World War II

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoggard,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Coie,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Probert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, E. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Eyans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Richter,	Yeakel,
Fish,	Lyons,	Riley,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 253, as follows:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions In this act unless the context or subject matter clearly indicates otherwise the following terms shall have the following meanings

"Merchandise" Materials goods in process and finished

goods intended for sale whether or not requiring further manufacturing or processing

"Factor" A person firm partnership bank or corporation and their successors in interest that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

"Borrower" An owner of merchandise who creates a lien in favor of a factor

Section 2 Factor's Lien If so provided by any written agreement with the borrower a factor shall have a lien upon such merchandise then or thereafter in the custody or possession of the borrower as is from time to time after or contemporaneously with the execution of the said written agreement designated in separate written statements dated and signed by the borrower and delivered to the factor Such lien shall secure the factor for all his loans and advances to or for the account of the borrower together with interest thereon and also for the commissions obligations indebtedness charges and expenses properly chargeable against or due from said borrower and for the amounts due or owing or to become due or owing upon any notes or other obligations given to or received by the factor for or on account of any such loans or advances interest commissions obligations indebtedness charges and expenses and any renewals or extensions of such notes or other obligations Such lien shall be valid from the time of filing the notice hereinafter in this section and in section 3 of this act referred to whether such merchandise shall be in existence at the time of the execution of the written agreement providing for the creation of the lien or at the time of filing of such notice or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower provided that there shall be posted on the door of or in a conspicuous place at one of the principal entrances of each of the places of business at which such merchandise or any part thereof shall be located kept or stored the name of the factor in legible lettering in the English language and the designation of the said factor as factor and provided further that a notice of the lien is filed as provided in section 3 of this act stating

(a) The name of the factor the name under which the factor does business if an assumed name the principal place of business of the factor within the Commonwealth or if he has no place of business within the Commonwealth his principal place of business outside the Commonwealth and if the factor is a partnership or association the names of the partners and if a corporation the state under the laws of which it was organized

(b) The name of the borrower the name under which the borrower does business if an assumed name and the principal place of business of the borrower within the Commonwealth or if he has no place of business within the Commonwealth the principal place or places at which the merchandise shall be located or stored

(c) The general character of merchandise subject to the lien or which may become subject thereto and the period of time during which loans or advances may be made under the terms of the written agreement providing for such loans or advances and for such lien

Amendments of the notice of the lien may be filed from time to time in the same manner to record any changes in the information contained in the original or any prior amendment of the notice of lien

The notice and amendments of the notice of lien shall be verified under oath by or in behalf of the factor to the effect that the statements therein contained are true to the best of the affiant's knowledge

Section 3 Filing The notice of lien and any amendments thereof may be filed at any time or times after the execution of the written agreement providing for the creation of the lien in the office of the prothonotary of each county in which the merchandise or any part thereof is at any time located or stored by the borrower and upon such filing shall be a judicial record subject to the control of the court of common pleas of said county The prothonotary shall mark upon each notice and amendment of notice filed with him the day and hour of filing and shall file the notice and amendments in his office for public in-

pection He shall keep a book in which he shall enter the names of the borrower and factor the day and hour of filing a brief description of the merchandise and the date of satisfaction of the lien Such book shall be indexed under the name of both borrower and factor For filing and entering each such notice and amendment of notice the prothonotary shall be entitled to a fee of fifty cents

Section 4 Effect of Filing and Posting Upon such filing and posting the lien of the factor shall be effectual on and attach to the merchandise from time to time designated in the written statements provided for in section 2 of this act as against all claims of unsecured creditors of the borrower and as against subsequent liens of creditors except that liens arising pursuant to the laws of this Commonwealth in favor of a landlord or out of contractual acts of the borrower with reference to the processing warehousing shipping or otherwise dealing with the merchandise in the usual course of the borrower's business preparatory to their sale shall take precedence over the lien of the factor on said merchandise notwithstanding the prior perfection of the lien of the factor under the provisions of this act but this section shall not obligate the factor for any debt secured by any such other lien When merchandise subject to the lien provided for by this act is sold in the ordinary course of the business of the borrower the purchaser shall take the said merchandise free and clear of the lien of the factor whether or not the purchaser has knowledge of the existence thereof and the said lien shall without further act of the factor attach to any proceeds arising out of such sale and shall be valid in law as and enforceable against all subsequent purchasers assignees transferees pledges and other creditors of the borrower

Section 5 Discharge Any notice and any amendment of notice filed in the office of the prothonotary under the provisions of this act may be cancelled by satisfaction noted on the docket in the same manner as judgments at law are satisfied In lieu of such docket satisfaction the factor shall after the payment or discharge of the indebtedness secured by the lien and upon written demand delivered personally or by registered mail by the borrower or any other person having an interest in the merchandise execute acknowledge and deliver to the demandant a statement that the indebtedness has been discharged If for ten days after such demand the factor fails to mail or deliver such a statement of satisfaction he shall forfeit to the demandant five dollars and be liable for all damages suffered Upon presentation of such statement of satisfaction the prothonotary shall file the same and note the cancellation of the notice and amendments and the date thereof on the margin of the pages where the notice and amendments have been entered For filing and entering the statement of satisfaction the prothonotary shall be entitled to a fee of thirty cents plus an additional ten cents for each amendment of notice thereby satisfied Every notice and amendment of notice filed pursuant to the provisions of this act shall be deemed to be and remain in full force and effect without further or other filing until such satisfaction or cancellation be noted as hereinabove provided

Section 6 Common Law Lien When any factor or any third party for the account of any such factor shall have possession of merchandise as security for money lent or advanced such factor shall have a continuing general lien as set forth in section 2 of this act without posting the name of the factor or filing the notice provided for in this act

Section 7 Construction This act is to be construed liberally to secure the beneficial interest and purposes thereof A substantial compliance with its several provisions shall be sufficient for the validity of a lien and to give jurisdiction to the courts to enforce the same If any transaction shall fall within the provisions both of this act and of any other statute of this Commonwealth requiring or permitting filing recording consent publication notices or formalities of execution the factor shall not be required to comply with the provisions of any such other statute

Section 8 Constitutionality If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity, shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications and to this end the provisions of this act are declared to be severable

Section 9 Short Title This act may be cited as the Factor's Lien Act

Section 10 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Intess,	Snider,
Bonawita,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buccin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Clevenger,	Imbt,	Nelson,	Thompson,
Cochran,	Jennings,	O'Connor,	Tittle,
Cole,	Johnson,	O'Dare,	Tompkins,
Cook,	Johnston,	O'Donnell,	Toomey,
Cooper,	Jones,	O'Neill,	Turner,
Cordier,	Jump,	Orban,	Vaughan,
Costa,	Kean,	Patten,	Verona,
Crowley,	Kelley,	Petrosky,	Wachhaus,
Dague,	Kemp,	Pichney,	Wagner,
Dalrymple,	Kent,	Pickens,	Waldron,
Davison,	Kirley,	Polaski,	Wallin,
De Long,	Kline,	Powers,	Walton,
Demech,	Kohl,	Price,	Waterhouse,
Dennison,	Kratz,	Propert,	Watkins,
Depuy,	Krise,	Ragot,	Watson,
Dix,	Kurtz,	Readinger,	Weldner,
Dye,	Laughner,	Reagan,	Weiss,
Efenberg,	Layer,	Reese, D. P.,	Wescott,
Elder,	Lee,	Reese, R. E.,	West,
Erb,	Leisey,	Reilly, J. M.,	Wheeler,
Evans,	Livingston,	Reilly, W. J.,	Wolf,
Ewing,	Livingstone,	Richter,	Wood,
Feola,	Loftus,	Riley,	Worley,
Fish,	Lovett,	Robbins,	Yeakel,
Fiss,	Lyons,	Robertson,	Yester,
Flack,	Madden,	Root,	Yetzer,
Fleming,	Madigan,	Rose,	Young,
Foor,	Mazza,	Rowen,	Lichtenwalter,
Frost,	McCormack,	Royer,	Speaker.

NAYS—1

Chudoff.

NOT VOTING—5

Cassidy,
Henry,

Sax,

Trout,

Upshur,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 336, as follows:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employees of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governors imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension system and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" is hereby amended to read as follows

An Act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by [them] political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pensions systems and upon officers and employees of such political subdivisions [and] institutions supported and maintained by [them] political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

Section 2 Section two of said act as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) is hereby further amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employees' Retirement Board
"Municipality" a city borough town township county [and] institution district or municipal authority

"Municipal Employee" a person holding an office or position under a municipality [or] an institution supported and maintained by [it] a municipality or under a municipal authority in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality or municipal authority with its funds or through any separate institution supported and maintained through trustees or otherwise by [it] the municipality The term shall not include officers and employees paid wholly on a fee basis

"Member" a municipal employee who has become a member of the Municipal Employees' Retirement System established by this act

"Original Member" a municipal employee who was a municipal employee at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employee who first becomes a municipal employee after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employee who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employee but has retired and is receiving a retirement allowances as provided in this act

"Prior Service" all service as a municipal employee completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification

"Superannuation Retirement Age" sixty years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employee and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars (\$4000) it shall for the purpose of this act be limited to four thousand dollars (\$4000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employee or from any existing pension or retirement system directly into the retirement fund and credited to the members' account together with regular interest thereon

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employee

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employee's Retirement Fund created by this act

Section 3 Section seven of said act is hereby amended to read as follows

Section 7 Election by Municipalities to Join Retirement System Any municipality may elect by ordinance or resolution adopted by the tax levying body or in the case of municipal authorities by the board of such municipal authority to join the retirement system established by this act In the case of townships of the second class no such resolution shall be adopted except by unanimous vote of all three supervisors

Any municipality by action of its tax levying body

may and upon petition of electors equal to at least ten per centum of the registered electors of the municipality shall submit the question of joining such retirement system to the voters of the municipality at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth. If the majority of the electors voting on the question vote in favor thereof the tax levying body shall adopt an ordinance or resolution electing to join such system. If the electors vote against joining the system then no further action shall be taken in the municipality for a period of two years.

A duly certified copy of any such ordinance or resolution electing to join the retirement system shall be filed with the State Employees' Retirement Board until the board created by this act has been established and thereafter with the board created by this act.

Section 4 The provisions of this act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorne,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buechin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Nedham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cock,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 343, as follows:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing or and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further regulating examination and disposition of records imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials and authorizing the commission to procure the advice of experts and to pay for such services.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of certain deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as added thereto by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby amended to read as follows

Section 524 Disposition of Useless Records Except as otherwise provided by law whenever any administrative department board or commission shall have an accumulation of files of correspondence reports records or other papers which are not needed or useful in the transaction of the current or anticipated future work of such department board or commission and which date back a

period of four years and more it shall be the duty of the head of such department board or commission to submit to the Executive Board and to the Pennsylvania Historical and Museum Commission a report of that fact accompanied by a concise statement of the condition quantity and character of such papers which statement shall be sufficiently detailed to identify the papers If the Executive Board shall be of the opinion that such files of correspondence reports records or other papers or any part thereof are not needed or useful in the transaction of the current or anticipated future work of such department board or commission and shall so certify and if the Pennsylvania Historical and Museum Commission shall be of the opinion that such files are not of permanent value or historic interest and shall so certify the head of such department board or commission shall place such files or any part thereof as he case may be in the custody of the Department of Property and Supplies and such department is hereby authorized to dispose of the same as waste paper in the manner prescribed in this act for the sale of unserviceable property Provided however That the Executive Board with the approval of [Department of Public Instruction] Pennsylvania Historical and Museum Commission may direct that any such files of correspondence reports records or other papers or any part thereof that are of permanent value or historical interest be turned over the to [Department of Public Instruction] Pennsylvania Historical and Museum Commission for preservation for historical and archival purposes or that the Pennsylvania Historical and Museum Commission may negotiate with the head of such department board or commission for the transfer of such files

Section 2 Clauses (a) (m) (p) (q) (r) of section two thousand eight hundred one A of said act as added thereto by the act approved the sixth of June one thousand nine hundred forty-five (P. L. 1398) are hereby amended to read as follows

Section 2801-A Pennsylvania Historical and Museum Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical and Museum Commissions shall have the power and its duties shall be

(a) To exercise the powers and perform the duties heretofore by law vested in and imposed upon the Pennsylvania Historical Commission and any officer or member thereof and to serve as the official agency of the Commonwealth for the conservation of Pennsylvania's historic heritage and the preservation of public records historic documents and objects of historic interest Any power or duty heretofore vested in or imposed upon the chairman of the Pennsylvania Historical Commission is herein vested in and imposed upon the chairman of this commission and any power or duty heretofore vested in or imposed upon the Secretary of the Pennsylvania Historical Commission is herein vested in and imposed upon the executive [secretary] director of this commission

(m) To examine or cause to be examined or excavated the sites and areas of former aboriginal or American Indian occupation and of frontier forts and early white settlements within this Commonwealth to acquire by purchase or gift archaeological or historical collections [for the State Museum] to prepare [a list] lists of [all such] archaeological or historical sites to describe them and to report upon their specific [archaeological culture and to prepare for publication the informations so obtained] character to gather information by historical research by microfilming or otherwise copying historic documents letters and records by analyzing and determining their authenticity and by compiling lists and guides to the materials for Pennsylvania history All information reports scientific determinations and other records obtained by [this survey] these surveys and investigations or archaeological collections acquired by purchase shall be the property solely of the Commonwealth to be deposited in the State Museum or Archives or elsewhere at the discretion of the Commission [in performing its duties under this subsection the commission may consult

and procure the advice of such archaeological and anthropological experts as it shall deem it advisable to consult]

(p) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value to negotiate for the transfer of and to receive public records from any department board or commission of the Commonwealth or from any agency of a political subdivision thereof The Pennsylvania Historical and Museum Commission shall be the legal custodian of such public records as may be turned over to it by any department board or commission of the Commonwealth or by any agency of a political subdivision thereof The head of any department board or commission of the Commonwealth or of any agency of a political subdivision thereof is authorized to turn over to the Pennsylvania Historical and Museum Commission such public records legally in his custody as are not needed for the transaction of the business of his office whenever the Pennsylvania Historical and Museum Commission is willing to receive and care for them Whenever such transfers are made the Executive Director of the Pennsylvania Historical and Museum Commission shall transmit to the office from which the records are transferred a list in which such are described in terms sufficient to identify them which list shall be filed and preserved in said office

(q) To collect classify preserve and make acceptable for reference all records which may come into [the] its possession [of the library] with such exceptions as may be indicated by the [department] Commission and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the departments boards or commissions of the Commonwealth and of the counties cities and boroughs of the State The Executive Director of the Commission or any employes designated by him shall have the right of reasonable access to and examination of all public records in the Commonwealth and shall report to the Commission on their condition

(r) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced and to recommend uniform standards governing the use of paper ink and filing procedure for all records and papers of the several departments boards and commissions of the Commonwealth and the political subdivisions thereof which shall be construed as being of permanent and ultimate historical importance and to enforce all such standards

Section 3 Section two thousand eight hundred one A of said act is hereby amended by adding at the end thereof of a new clause to read as follows

(u) In performing its duties under the foregoing subsections to consult and procure the advice of such archaeological anthropological historical archival or museum experts as it shall deem it advisable to consult and to compensate them for such services

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,

Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buechin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Chevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elish,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 376, as follows:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commissions all powers now exer-

cised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four such supplemental compact or agreement to be in substantially the following form

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending the Agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties' by extending the jurisdiction powers and duties of the commission and defining such additional jurisdiction powers and duties

Whereas The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the 'commission') was created by a compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its General Assembly approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1352) as last amended by an act of said General Assembly approved the eighteenth day of May one thousand nine hundred and thirty-three (P. L. 827) and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its Senate and General Assembly approved June eleventh one thousand nine hundred and thirty-four (chapter 215 laws of 1934 R S (1937) 32:8-1) to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30 1935 (Public No 411 74th Congress 49 Stat 1051 1058) and under the provisions of which compact or agreement the commission was authorized to administer maintain and operate certain bridges over the Delaware river and now maintains and operates the same as joint State owned free bridges and

Whereas Because of the great increase in traffic and loads over said bridges since their construction many of said bridges are now inadequate or unsafe and it will be necessary to rehabilitate or replace some or all of said bridges with new bridges at the same or different loca-

tions in order to provide safe adequate and convenient facilities for traffic crossing the Delaware river and

Whereas It is necessary that the commission have power to issue and sell its bridge revenue bonds for rehabilitating or replacing existing bridges with new bridges at the same or different locations for acquiring or constructing additional bridges and for refunding any bridge revenue bonds of the commission and that the commission also have power to fix charge and collect tolls rates rents and other charges for the use of any such new bridge or bridges now therefore

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article IX of the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty four be and the same is hereby amended to read as follows

Article IX

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governors and Legislatures as it may deem advisable

(2) Article X of said Agreement be and the same is hereby amended to read as follows

Article X

Notwithstanding any other provision of this Agreement the commission shall have the following powers

(a) The commission may acquire construct rehabilitate improve maintain repair and operate bridges for vehicular or pedestrian traffic across the Delaware river between [Bucks County and Philadelphia County in the Commonwealth of Pennsylvania] Mercer County and Burlington County in the State of New Jersey as extended across the Delaware river to the [New Jersey] Pennsylvania shore of said river

(b) The commission may replace any one or more existing bridges across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey north of said line with one or more new bridges at such locations as the commission may determine to be adequate and convenient for the traffic to be served thereby

(c) The commission may acquire by purchase or by the exercise of the power of eminent domain any existing ferry or bridge the acquisition of which the commission may determine to be necessary or advisable in connection with the construction of a new bridge the cost of such acquisition to be deemed to be a part of the cost of such construction

(d) The commission may enter upon use occupy enlarge construct and improve any street road or highway located within the limits of any municipality and deemed by the commission to be necessary in connection with the acquisition construction improvement maintenance or operation of any bridge owned or operated by the commission or of any bridge approaches bridge plazas or approach highways to any such bridge subject however to the consent of the governing body of such municipality and to such reasonable police regulations as may be established by such governing body

(e) The commission may demolish and remove any bridge now operated by it when such bridge has been or is being replaced by a new bridge at the same or a different location which in the determination of the commission will serve substantially the same traffic as that served by such existing bridge and the commission may sell or otherwise dispose of any ferry or other property

of the commission deemed by it to be no longer useful or needed for the purposes of the commission

(f) The commission may acquire for the purposes of this article any real property which it shall find necessary or convenient to acquire for public use in the manner provided by Article III of this Agreement or in the alternative in the Commonwealth of Pennsylvania in the same manner and with the same right of entry as the highway department of the Commonwealth may acquire lands by condemnation for highway purposes and in the State of New Jersey in the same manner and with the same right of entry as the highway department of the State may acquire lands by condemnation for highway purposes

(g) The commission may make and enforce such rules and regulations with respect to the use of any bridge operated by it as it shall deem proper and reasonable including regulations limiting the loads permitted on any such bridge and closing to traffic any such bridge deemed by the commission to be unsafe

(h) The commission may provide from time to time for the issuance of its bridge revenue bonds for any one or more of the following purposes (1) providing funds for the acquisition construction rehabilitation or improvement of any one or more bridges the acquisition construction rehabilitation or improvement of which is herein authorized (2) providing funds for the construction or improvement of approach facilities deemed by the commission to be necessary or desirable in connection with the acquisition construction maintenance or operation of any bridge owned or operated by the commission including but without limitation bridge approaches entrance plazas overpasses underpasses and approach highways and (3) refunding any bridge revenue bonds or bridge revenue refunding bonds of the commission The bridge or bridges (including any approach facilities) on account of which a single issue of bonds shall be issued as herein authorized shall constitute a single project for financing purposes

(i) The commission may fix charge and collect tolls rates rents and other charges for the use of any bridge or bridges constituting a single project such tolls to be so fixed and adjusted subject to any applicable Federal law as to provide funds at least sufficient (1) to pay the cost of maintaining repairing and operating such bridge or bridges including the administrative expenses of the commission chargeable thereto (2) to pay the bridge revenue bonds or the bridge revenue refunding bonds issued on account of such project and the interest on such bonds and (3) to provide reserves for such purposes provided however that no tolls shall be charged or collected for the use of any bridge now operated by the commission as a free bridge but only for the use of bridges constructed or acquired by the commission under the provisions of this compact or agreement Subject to any applicable Federal law the commission may pledge such tolls rates rents and other revenues or any part thereof for such purposes The commission may establish separate schedules of tolls rates and charges for use of any bridge on which tolls may be established hereunder by residents of areas adjacent to or served directly by such bridge under such conditions and on such terms as its shall determine to be proper and reasonable including tolls rates and charges for unlimited use of any such bridge

No member of the commission shall be subject to any personal liability or accountability by reason of any act or omission of the commission"

Section 2 Upon its signature on behalf of the Commonwealth of Pennsylvania and the State of New Jersey the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of an act of the General Assembly of the Commonwealth of Pennsylvania and the commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement and

the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 3 The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval to such supplemental compact or agreement

Section 4 Nothing contained in this act nor in the supplemental compact or agreement authorized by this act shall be deemed to supersede abrogate or repeal in any way any powers heretofore granted to the commission. This act and said supplemental compact or agreement shall be regarded as conferring supplemental and additional powers to the commission and shall not be regarded as being in derogation of any powers now existing

Section 5 The act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1023) entitled "An act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation" is hereby repealed

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 This act shall become effective immediately upon its signing by the Governor and the passage by the State of New Jersey of a substantially similar act embodying the supplemental compact of agreement between the two States hereinabove set forth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsach,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dlx,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,

Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fliss,
Flack,
Fleming,
Foor,
Frost

Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker

NAYS—0

NOT VOTING—5

Cassidy,
Henry,

Sax,

Trout,

Upshur,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 408, as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission is hereby authorized and empowered to accept on behalf of the Commonwealth the one acre or more or less of land on Holme Avenue Boulevard in the city of Philadelphia comprising the Crispin Cemetery in which lie buried the remains of the descendant of Thomas Holme and Captain William Crispin direct descendants of Captain Giles Penn the grandfather of William Penn Captain William Crispin was appointed by William Penn to head a commission of four for settling the Colony of Pennsylvania and as the first Chief Justice of the colony Thomas Holme as the first Surveyor General of the colony laid out the plan of the city of Philadelphia

Section 2 The title to said real estate shall be taken in the name of the Commonwealth and shall before its acquisition be approved by the Department of Justice

Section 3 Upon acquiring the property the Pennsylvania Historical and Museum Commission shall be charged with the restoration and maintenance thereof and shall have full control supervision and management thereof in accordance with the provisions of the Administrative Code of 1929

Section 4 The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of restoring and maintaining the Crispin Cemetery

Section 5 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarrafi,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Naumann,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrofsky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dairymple,	Kirley,	Polaski,	Wallin,
Davidson,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Eisenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Uppshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 434 as follows:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life

insurance companies as limited life insurance companies and further describing the powers thereof" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 566) is hereby further amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specially empowered to issue policies agreeing to pay not more than twenty dollars (\$20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars (\$500.00) in the event of death from natural or accidental causes and to issue policies of endowment insurance subject to the condition hereinafter provided notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars (\$500.00) but not exceeding one thousand dollars (\$1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars (\$50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars (\$12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars (\$50,000.00)

Any such company may issue policies of endowment insurance agreeing to pay not more than one thousand dollars (\$1,000.00) upon maturity thereof provided it has

(a) In the case of stock companies a capital of one hundred thousand dollars (\$100,000.00) and in addition thereto has accumulated a surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least one hundred thousand dollars (\$100,000.00)

Any such company may issue policies agreeing to pay in excess of the weekly limitations herein prescribed but not exceeding forty-five dollars (\$45) per week in the event of disablement from sickness or accident provided such policies limit payment of benefits to periods during which insured shall have been admitted as a patient into and as such be necessarily wholly and continuously confined within a duly licensed and incorporated hospital provided it has

(a) In the case of stock companies additional capital of twenty-five thousand dollars (\$25,000.00) and has accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00) or

(b) In the case of mutual companies accumulated additional surplus in the sum of at least twenty-five thousand dollars (\$25,000.00)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarrafi,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.
Boles,	Griffiths,	Mintess,	Snider,

Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 438 as follows:

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection one of section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" as amended by the act approved the ninth day of April one thousand nine hundred forty-five (P. L. 166) is hereby further amended to read as follows

Section 14 Certified Copies

(1) Subject to the requirements of sections 18 19 and 20 the department shall upon request furnish to any applicant a certified copy of any certificate or any part

thereof except a certificate of birth in which case a partial certified copy shall be furnished containing only the name date of birth place of birth and the filing date relative to such record In compliance with any court order or upon the specific request of the applicant the department may issue a complete certified copy of any birth certificate and for official purposes upon request of any agency of the United States Government or the Commonwealth it may without charge verify directly to such agency complete information from the original record on forms furnished by the department

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Jones,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jump,	O'Neill,	Turner,
Cooper,	Kean,	Orban,	Vaughan,
Cordier,	Kelley,	Patten,	Verona,
Costa,	Kemp,	Petrosky,	Wachhaus,
Crowley,	Kent,	Pichney,	Wagner,
Dague,	Kirley,	Polaski,	Waldron,
Dalrymple,	Kline,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Laughner,	Reagan,	Weidner,
Dix,	Layer,	Reese, D. P.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Lelsey,	Reilly, J. M.,	West,
Elder,	Livingston,	Reilly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fiss,	Madden,	Root,	Yester,
Flack,	Madigan,	Rose,	Yetzer,
Fleming,	Mazza,	Rowen,	Young,
Foor,	McCormack,	Royer,	Lichtenwalter,
Frost,			Speaker.

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 and

Senate Bill No. 492, Printer's No. 185

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 553 as follows:

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1710 Failure of City or County Officer to Make Return and Payment to Department of Revenue Any city or county officer who shall refuse or neglect for the period of ten days after the same shall become due to make the return and payment required by section 901 of this act shall be notified by registered mail by the Department of Revenue that such return and payment have not been received If such return and payment are not made within ten days of such notification he shall forfeit his fees and commissions on the whole amount of money collected during the month and shall be subject to a penalty of ten percentum which shall be added to the amount of tax or fees found due Provided however That any subsequent refusal or neglect to make a return and payment for any subsequent period within the time prescribed shall without notification by the Department of Revenue constitute a violation of this section and subject the said officer to the penalties herein provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrilli,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsach,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davidson,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 554 as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eight section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract or parcel of land lying in Fairview Township York County Pennsylvania for use in connection with a military reservation officially designated New Cumberland General Depot bounded and described as follows

Beginning at a point said point being South 19° 9' West 784 feet more or less from a concrete monument set in the center line of Springer Lane South 77° 6' East 117.80 feet more or less from the established Southwest corner of the lands of the United States Government and the common Northwest corner of the lands of John J. Kestrevic the five following courses and distances through the lands of John J. Kestrevic South 81° 32' East 187.84 feet more or less South 08° 28' West 385 feet more or less North 81° 32' West 440 feet more or less North 08° 28' East 385 feet more or less and South 81° 32' East 252.16 feet more or less to the point of beginning Containing 3.88 acres more or less

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Farraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schustar,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tompkins,
Cochran,	Johnson,	O'Dare,	Tittle,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waidron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Relly, J. M.,	Wheeler,
Erb,	Livingston,	Relly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 563 as follows:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds asso-

ciations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and reeapaling existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" are hereby amended to read as follows

Section 324 Proceedings to Increase Capital Stock Any such insurance company desirous of increasing its capital stock shall by resolution of its board of directors adopted by a majority of the entire number thereof declare such purpose and thereupon by resolutions similarly adopted direct that the question of such proposed increase shall be submitted to the stockholders of such corporations for their consent either

(a) At any prescribed regular annual meeting or adjournment thereof the notice whereof stating inter alia that such subject would be considered thereat shall have been published once a week for sixty days prior to such meeting in at least one newspaper published in the county city or borough wherein the chief office or place of business of the corporation is situate or shall have been mailed to each stockholder at least [thirty (30)] sixty (60) days prior to such meeting At such meeting the question shall be submitted to the stockholders and it shall be the duty of the president and secretary of said meeting by such agencies or methods as to them may seem meet to ascertain whether the persons and bodies corporate holding the larger amount in value of the stock of said company shall have consented to such increase and upon being so satisfied to certify in duplicate the fact under oath duly administered Should a stock vote be duly demanded at said meeting it shall be the duty of the president and secretary in ascertainment of the fact of the consent to cause such vote to be taken at the same time and place by the same persons and in the same manner as the vote for directors of such company shall be taken or

(b) At a special meeting of the stockholders notice of the time place and object of which shall have been published once a week for sixty (60) days prior to said meeting in at least one newspaper published in the county city or borough wherein such office or place of business is situated or shall have been mailed to each stockholder at least [thirty (30)] sixty (60) days prior to such meeting At such meeting or any adjournment thereof an election of the stockholders shall be taken for or against such increase which shall be conducted by three judges stockholders of such company appointed by the board of directors to hold said election and if one or more of said judges are absent the judge or judges present shall appoint a judge or judges who shall act in the place of the judge or judges absent The judges shall respectively take and subscribe an oath or affirmation before an officer authorized by law to administer the same well and truly and according to law to conduct such election to the best of their ability The judges shall decide upon the qualifications of voters and when the election is closed count the number of shares voted for and against such increase and declare whether the persons and bodies corporate holding the larger amount of the stock of such corporation have consented to such an increase or refused to consent thereto and shall make out duplicate returns of said elec-

tion stating the number of shares of stock that voted for such increase and the number that voted against such increase and subscribe and deliver the same to one of the chief officers of said company

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,	Sarraf,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Coile,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dlx,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Flah,	Lyons,	Robertson,	Yester,
Flack,	Madden,	Root,	Yetzer,
Fleming,	Madigan,	Rose,	Young,
Foor,	Mazza,	Rowen,	Lichtenwalter,
	McCormack,	Royer,	Spear

NAYS—1

Kurtz,

NOT VOTING—5

Cassidy,
Henry,

Sax,

Trout,

Upshur,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 569, Printer's No. 343

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 575 as follows:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition of Terms "Principal" as used in this act means any realty or personalty which has been so set aside or limited by the owner thereof or a person thereto legally empowered that it and any substitutions for it are to remain in trust perpetually or are eventually to be conveyed delivered or paid to a person while the return therefrom or use thereof or any part of such return or use is in the meantime to be taken or received by or held for accumulation for the same or another person

"Income" as used in this act means the return derived from principal

"Tenant" as used in this act means the person to whom income is presently or currently payable or for whom it is accumulated or who is entitled to the beneficial use of the principal presently and for a time prior to its distribution

"Remainderman" as used in this act means the person ultimately entitled to the principal whether named or designated by the terms of the transaction by which the principal was established or determined by operation of law

"Trustee" as used in this act includes the original trustee of any trust to which the principal may be subject and also any succeeding or added trustee

Section 2 Application of the Act Powers of Settlor This act shall govern the ascertainment of income and principal and the apportionment of receipts and expenses between tenants and remaindermen in all cases where a principal has been established with or unless otherwise stated hereinafter without the interposition of a trust provided that the person establishing the principal may himself direct the manner of ascertainment of income and principal and the apportionment of receipts and expenses or grant discretion to the trustee or other person to do so and such provision and direction where not otherwise contrary to law shall control notwithstanding this act

Section 3 Income and Principal Disposition

(1) All receipts of money or other property paid or delivered as rent of realty or hire of personalty or dividends on corporate shares payable other than in shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid or interest on money loaned or interest on or the rental or use value of property wrongfully withheld or tortiously damaged or otherwise in return for the use of principal shall be deemed income unless otherwise expressly provided in this act

(2) All receipts of money or other property paid or delivered as the consideration for the sale or other transfer not a leasing or letting of property forming a part of the principal or as a repayment of loans or in liquidation of the assets of a corporation or as the proceeds of property taken in eminent domain proceedings where separate awards to tenant and remainderman are not made or as proceeds of insurance upon property forming a part of the principal except where such insurance has been issued for the benefit of either tenant or remainderman alone or otherwise as a refund or replacement or change in form of principal shall be deemed principal unless otherwise expressly provided in this act Any profit or loss resulting from any change in form of principal shall enure to or fall upon principal unless otherwise expressly provided in this act

(3) All income after payment of expenses properly chargeable to it shall be paid and delivered to the tenant or retained by him if already in his possession or held for accumulation where legally so directed by the terms of the transaction by which the principal was established while the principal shall be held for ultimate distribution

as determined by the terms of the transaction by which it was established or by law

(4) Nothing in this Section 3 shall apply to property in the nature of wasting assets such as timber minerals coal stone oil gas or other natural resources or to property subject to depletion such as leaseholds patents copyrights and royalty rights but this Section 3 shall apply to the shares of corporations which own such property

Section 4 Apportionment of Income Whenever a tenant shall have the right to income from periodic payments which shall include rent interest on loans and annuities but shall not include dividends on corporate shares and such right shall cease and determine by death or in any other manner at a time other than the date when such periodic payments should be paid he or his personal representative shall be entitled to that portion of any such income next payable which amounts to the same percentage thereof as the time elapsed from the last due date of such periodic payments to and including the day of the determination of his right is of the total period during which some income would normally accrue The remaining income shall be paid to the person next entitled to income by the terms of the transaction by which the principal was established But no action shall be brought by the trustee or tenant to recover such apportioned income or any portion thereof until after the day on which it would have become due to the tenant but for the determination of the right of the tenant entitled thereto The provisions of this section shall apply whether an ultimate remainderman is specifically named or not Likewise when the right of the first tenant accrues at a time other than a payment date of such periodic payments he shall only receive that portion of such income which amounts to the same percentage thereof as the time during which he has been so entitled is of the total period during which such income would normally accrue and the balance shall be a part of the principal

Section 5 Corporate Dividends and Share Rights

(1) All dividends on shares of a corporation forming a part of the principal which are payable in the shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid shall be deemed principal Subject to the provisions of this section all dividends payable otherwise than in such shares of the corporation itself including ordinary and extraordinary dividends and dividends payable in shares or other securities or obligations of corporations other than the declaring corporation shall be deemed income Where the trustee shall have the option of receiving a dividend either in cash or in the shares of the declaring corporation it shall be considered as a cash dividend and deemed income irrespective of the choice made by the trustee

(2) All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in such corporation and the proceeds of any sale of such rights shall be deemed principal All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in another corporation and the proceeds of any sale of such rights shall be deemed income

(3) Where the assets of a corporation are liquidated wholly or partially amounts paid upon corporate shares as cash dividends declared before such liquidation began or as arrears of cumulative preferred or guaranteed dividends shall be deemed income all other amounts paid upon corporate shares on disbursement of the corporate assets to the stockholders shall be deemed principal All disbursements of corporate assets to the stockholders whenever made which are designated by the corporation as a return of capital or division of corporate property shall be deemed principal Any profit or loss resulting from the sale or liquidation of corporate shares shall enure to or fall upon principal

(4) Where a corporation is a party to a merger consolidation or reorganization or otherwise acquires the assets of another corporation or where the capital struct-

ure of a corporation is changed either with or without merger consolidation and the securities of the surviving succeeding reorganized or acquiring corporation with or without cash or other properties are issued to the shareholders of the original corporation in like proportion to or in substitution for their shares in the original corporation and prior to the effective date of such merger consolidation or reorganization there were arrearages of cumulative preferred or guaranteed dividends and such arrearages are eliminated in the merger consolidation or reorganization so much of the securities and cash and other properties received as is designated by the corporation as a payment in settlement of such arrearages shall be allocated to such arrearages and the balance of the securities and cash and other properties received shall be deemed principal in case the corporation does not so designate the securities received in like proportion to or in substitution for shares upon which there were such arrearages of cumulative preferred or guaranteed dividends at their value as of the effective date of such merger and the cash and other properties received shall be allocated first to principal in the amount of the inventory value of the said shares of the original corporation or in default thereof of their market value at the time the principal was established or of their cost where purchased later second to the arrearages of cumulative preferred or guaranteed dividends or in satisfaction thereof if less than such amount and third the balance if any to principal

(5) Except as otherwise provided in subsection (4) of this section where a corporation is a party to a merger consolidation or reorganization or otherwise acquires the assets of another corporation and shares of stock of whatsoever character or whatsoever class or classes of the surviving succeeding reorganized or acquiring corporation with or without cash or other securities or properties are issued to the shareholders of a corporation which is a party to such merger consolidation reorganization or acquisition of assets in like proportion to or in substitution for their shares in such corporation all shares of stock so issued and also all cash and other securities and properties which may be so issued shall be principal

(6) In applying this section the date when a dividend accrues to the person who is entitled to it shall be held to be the date specified by the corporation as the one on which the stockholders entitled thereto are determined or in default thereof the date of declaration of the dividend

Section 6 Premium and Discount Bonds Where any part of the principal consists of bonds or other obligations for the payment of money they shall be deemed principal at their inventory value or in default thereof at their market value at the time the principal was established or at their cost where purchased later regardless of their par or maturity value and upon their respective maturities or upon their sale any loss or gain realized thereon shall fall upon or enure to the principal provided however that the scheduled increment in value of bonds issued on a discount basis and subject to definite appreciation in value on a fixed schedule shall constitute income as of each date on which an increment occurs and shall be made available as income for such disposition as is provided by the terms of the transaction under which the principal was established by transferring from the principal on each such date an amount equivalent to the increment then occurring

Section 7 Principal Used in Business

(1) Whenever a trustee or a tenant is authorized by the terms of the transaction by which the principal was established or by law to use any part of the principal in the continuance of a business which the original owner of the property comprising the principal had been carrying on the net profits of such business attributable to such principal shall be deemed income

(2) Where such business consists of buying and selling property the net profits for any period shall be ascertained by deducting from the gross proceeds during and the inventory value of the property at the end of such period

the expenses during and the inventory value of the property at the beginning of such period

(3) Where such business does not consist of buying and selling property the net income shall be computed in accordance with the customary practice of such business but not in such way as to decrease the principal

(4) Any increase in the value of the principal used in such business shall be deemed principal and all losses in any one calendar year after the income from such business for that year has been exhausted shall fall upon principal

Section 8 Principal Comprising Animals Where any part of the principal consists of animals employed in business the provisions of Section 7 shall apply and in other cases where the animals are held as a part of the principal partly or wholly because of the offspring or increase which they are expected to produce all offspring or increase shall be deemed principal to the extent necessary to maintain the original number of such animals and the remainder shall be deemed income and in all other cases such offspring or increase shall be deemed income

Section 9 Disposition of Natural Resources Where any part of the principal consists of property in lands from which may be taken timber minerals coal stone oil gas or other natural resources and the trustee or tenant is authorized by the terms of the transaction by which the principal was established or by order of court to sell lease or otherwise develop such natural resources or where such natural resources have been leased or developed prior to the transaction by which the principal was established and no provision is made for the disposition of the net proceeds thereof after the payment of expenses and carrying charges on such property one-third of the net proceeds if received as rent or payment on a lease or as royalties shall be deemed income and the remaining two-thirds thereof shall be deemed principal to be invested to produce income provided that if a surviving spouse of the person establishing the principal shall be the sole tenant he shall be intitled to such proportion of the net proceeds as he would be entitled to under the intestate laws if the person establishing the principal were to die intestate at the time of the receipt of such proceeds a resident of the Commonwealth and owing such proceeds but this shall not include the \$10,000 allowance Such proceeds if received as consideration for the permanent severance of such natural resources from the land payable otherwise than as rents or royalties shall be deemed principal to be invested to produce income

Nothing in this section shall be construed to abrogate or extend any right which may otherwise have accrued by law to a tenant to develop or work such natural resources for his own use

Section 10 Interest-Bearing Obligations in Default

(1) Whenever the interest on an interest-bearing obligation owned by a trust shall be in default in whole or in part and the obligation shall be converted into money or property which can be fairly apportioned or both before the principal is finally distributed then the tenant or in case of his death his personal representative shall be entitled to share in the net proceeds received from the property as delayed income to the extent hereinafter stated

(2) Such delayed income shall be the difference between the net proceeds received from the conversion and the amount which had it been placed at simple interest at the rate of four per centum per annum for the period during which such interest was in default in whole or in part would have produced the net proceeds at the time of conversion In no event shall delayed income exceed the defaulted interest upon the obligation The net proceeds shall consist of the gross proceeds including property other than money received from the conversion less any expenses incurred in converting and preserving the asset and less all carrying charges which have been paid out of principal pending conversion but shall not include net income received pending conversion

(3) The tenant shall be entitled to receive from time to time and to keep the net income from any form or property

or obligation into which such interest-bearing obligation may be converted until it is finally converted into money or property which can be fairly apportioned or both and his share of the delayed income shall be reduced by the amount of income received and by the value of any beneficial use of the property which he may have had.

(4) In case of successive tenants the delayed income shall be divided among them or their representatives according to the length of the period for which each was entitled to income.

Section 11 Expenses Trust Estates

(1) All ordinary expenses and charges incurred in connection with the trust estate or with its administration and management shall be paid out of income but such expenses where incurred in disposing of or as carrying charges on unproductive estate shall be paid out of principal and where incurred in disposing of or as carrying charges on underproductive estate shall be paid out of principal to the extent that the income from the property shall not be equal to such expenses.

(2) Trustees' compensation compensation of assistants and court costs and attorneys' and other fees may be apportioned between income and principal as the court may direct.

(3) All other expenses including cost of investing or reinvesting principal and other costs incurred in maintaining or defending any action to protect the trust or the property or assure the title thereof unless due to the fault or cause of the tenant and costs of or assessments for improvements to property forming part of the principal shall be paid out of principal. Any tax levied by any authority Federal State or foreign upon profit or gain defined as principal under the term of subsection (2) of section 3 shall be paid out of principal notwithstanding said tax may be denominated a tax upon income by the taxing authority.

(4) Interest and penalties on inheritance and estate taxes levied by any authority Federal State or foreign shall be paid out of principal to the extent that such interest and penalties are in excess of the rate of return which has been or shall be realized from the estate during the time that such interest and penalty have accrued.

(5) Expenses paid out of income according to subsection (1) hereof which represent regularly recurring charges shall be considered to have accrued from day to day and shall be apportioned on that basis whenever the right of the tenant begins or ends at some date other than the payment date of the expenses. Where the expenses to be paid out of income are of unusual amount the trustee may distribute them throughout an entire year or part thereof or throughout a series of years. After such distribution where the right of the tenant ends during the period the expenses shall be apportioned between tenant and remainderman on the basis of such distribution.

Section 12 Expenses Non-trust Estates

(1) The provisions of Section 11 so far as applicable shall govern the apportionment of expenses between tenants and remaindermen where no trust has been created subject however to any legal agreement of the parties or any specific direction of the taxing or other statutes but where either tenant or remainderman has incurred an expense for the benefit of his own estate and without the consent or agreement of the other he shall pay such expense in full.

(2) The special taxes or assessments for an improvement representing an addition of value to property forming part of the principal shall be paid by the tenant where such improvement cannot reasonably be expected to outlast the estate of the tenant. In all other cases a portion thereof only shall be paid by the tenant while the remainder shall be paid by the remainderman. Such portion shall be ascertained by taking that percentage of the total which is found by dividing the present value of the tenant's estate by the present value of an estate of the same form as that of the tenant except that it is limited for a period corresponding to the reasonably expected duration of the improvement. The computation of present values of the estates shall be made on the expectancy

basis set forth in the American experience tables of mortality and no other evidence of duration or expectancy shall be considered.

Section 13 Short Title This act may be cited as the Principal and Income Act of 1947.

Section 14 Repeal The act approved the third day of May one thousand nine hundred and forty-five (P. L. 416) entitled "An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto" and Section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows' and childrens' exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action in suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" and their amendments and all other acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed absolutely.

Section 15 Time of Taking Effect The provisions of this act shall become effective upon the enactment thereof and shall apply to all estates of tenants or remaindermen and to all wills trusts agreements and trust relations and to estates of tenants or remaindermen thereafter made or created. Except that the provisions of Section 9 hereof shall apply only to wills trust agreements and trust relations thereafter made or created. And provided further that the provisions of this act shall not apply to receipts and expenses received or paid prior to the effective date of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffith,	Mintess,	Snider,

Bonawitz, Boorse, Bower, Breisch, Brice, Brown, Brunner, Bucchin, Cadwalader, Capano, Chervenak, Chudoff, Clevenger, Cochran, Cole, Cook, Cooper, Cordier, Costa, Crowley, Dague, Dairymple, Davison, De Long, Demech, Dennison, Depuy, Dix, Dye, Efenberg, Elder, Erb, Evans, Ewing, Feola, Fish, Fiss, Flack, Fleming, Foor, Frost,	Guthrie, Gyger, Hall, Haller, Haudenshield, Helm, Hewitt, Hocker, Hoffman, Hoopes, Horan, Imbt, Jennings, Johnson, Johnston, Jones, Jump, Kean, Kelley, Kemp, Kent, Kirley, Kline, Kohl, Kratz, Krise, Kurtz, Laughner, Layer, Lee, Leisey, Livingston, Livingstone, Loftus, Lovett, Lyons, Madden, Madigan, Mazza, McCormack,	Mohr, Mooney, Moore, C. E., Moore, H. A., Morrison, Murray, Myers, Najaka, Naumann, Needham, Neff, Nelson, O'Connor, O'Dare, O'Donnell, O'Neill, Orban, Patten, Petrosky, Pichney, Pickens, Polaski, Powers, Price, Propert, Ragot, Readinger, Reagan, Reese, D. P., Reese, R. E., Reilly, J. M., Reilly, W. J., Richter, Riley, Robbins, Robertson, Root, Rose, Rowen, Royer,	Sollenberger, Sorg, Sproul, Stank, Stimmel, Stockham, Stonier, Stuart, Swope, Tahl, Thomassy, Thompson, Tittle, Tompkins, Toomey, Turner, Vaughan, Verona, Wachhaus, Wagner, Waldron, Wallin, Walton, Waterhouse, Watkins, Watson, Weldner, Weiss, Wescott, West, Wheeler, Wolf, Wood, Worley, Yeakel, Yester, Yetzer, Young, Lichtenwalter, Speaker.
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NAYS—0

NOT VOTING—5

Cassidy, Henry,	Sax,	Trout,	Upshur,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 638 as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission is hereby authorized to release to the Attorney General of the United States for a period of one year any and all historic documents of the Commonwealth now in its custody including the original Charter of King Charles II of England granting the province of Pennsylvania to William Penn for the purpose of exhibiting the same on the "Freedom Train" which it is proposed shall visit every state in the Union and several cities in each state carrying a collection of documents showing the development of democracy in the United States for the purpose of reawakening in the people their deep-seated reverence for the American way of life and to combat communism and other ideologies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson, Andrews, Bane, Barrett, Baumunk, Beech, Bender, Bentzel, Bloom, Roles, Bonawitz, Boorse, Bower, Breisch, Brice, Brown, Brunner, Bucchin, Cadwalader, Capano, Chervenak, Chudoff, Clevenger, Cochran, Cole, Cook, Cooper, Cordier, Costa, Crowley, Dague, Dairymple, Davison, De Long, Demech, Dennison, Depuy, Dix, Dye, Efenberg, Elder, Erb, Evans, Ewing, Feola, Fish, Fiss, Flack, Fleming, Foor, Frost,	Gallagher, Getchey, Gibson, Goff, Goodling, Gorman, Graybill, Greenwood, Greer, Griffiths, Guthrie, Gyger, Hall, Haller, Haudenshield, Helm, Hewitt, Hocker, Hoffman, Hoopes, Horan, Imbt, Jennings, Johnson, Johnston, Jones, Jump, Kean, Kelley, Kemp, Kent, Kirley, Kline, Kohl, Kratz, Krise, Kurtz, Laughner, Layer, Lee, Leisey, Livingston, Livingstone, Loftus, Lovett, Lyons, Madden, Madigan, Mazza, McCormack,	McCosker, McCullough, McDonald, McKinney, McMillen, Mihm, Mikula, Miller, Mills, Mintess, Mohr, Mooney, Moore, C. E., Moore, H. A., Morrison, Murray, Myers, Najaka, Naumann, Needham, Neff, Nelson, O'Connor, O'Dare, O'Donnell, O'Neill, Orban, Patten, Petrosky, Pichney, Pickens, Polaski, Powers, Price, Propert, Ragot, Readinger, Reagan, Reese, D. P., Reese, R. E., Reilly, J. M., Reilly, W. J., Richter, Riley, Robbins, Robertson, Root, Rose, Rowen, Royer,	Sarraf, Scanlon, Schuster, Scott, Serrill, Shoemaker, Simons, Smith, C. C., Smith, C. M., Snider, Sollenberger, Sorg, Sproul, Stank, Stimmel, Stockham, Stonier, Stuart, Swope, Tahl, Thomassy, Thompson, Tittle, Tompkins, Toomey, Turner, Vaughan, Verona, Wachhaus, Wagner, Waldron, Wallin, Walton, Waterhouse, Watkins, Watson, Weldner, Weiss, Wescott, West, Wheeler, Wolf, Wood, Worley, Yeakel, Yester, Yetzer, Young, Lichtenwalter, Speaker.
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NAYS—0

NOT VOTING—5

Cassidy, Henry,	Sax,	Trout,	Upshur,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 659 as follows:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause

for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 301) is hereby further amended to read as follows

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * * * *

(70) "Motor vehicle" any self propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road machinery agricultural machinery and vehicles which move upon or are guided by a track or trolley

(70.1) "Municipality authority" or "municipal authority" a body corporate and politic created pursuant to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) or to the Municipality Authorities Act of One thousand nine hundred thirty-five

* * * * *

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,

Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Gordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Relly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Flash,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foot,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 674 as follows:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect or where the acknowledgment was not properly taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land purchased by the county commissioners of any county for the use of a county at a county treasurer's sale held for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land has been sold by the county commissioners in accordance with the law governing the sale of such land and the county commissioners in pursuance of such sale executed a deed for said lands and the acknowledgment of such deed by the county commissioners was defective in any respect or where the acknowledgement was not taken in open court or before a Justice of the Peace such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or before a Justice of the Peace if in all other respects the laws relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before any officer duly authorized by law to take acknowledgments and all such commissioners' sales and commissioners' deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person at such commissioners' sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been properly acknowledged in full conformity with the law relating thereto

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kilne,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, J. J.,	
Evans,	Livingstone,	Richter,	
Ewing,	Loftus,	Riley,	
Feola,	Lovett,	Robbins,	
Fish,	Lyons,	Robertson,	
Fiss,	Madden,	Root,	
Flack,	Madigan,	Rose,	
Fleming,	Mazza,	Rowen,	
Foor,	McCormack,	Royer,	
Frost,			Speaker.

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act validating county treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect if in fact such acknowledgment was

taken before any officer duly authorized by law to take acknowledgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the county treasurer in pursuance of such sale executed a deed for said lands and acknowledgment of such deed by the county treasurer was defective in any respect or where such deed was not acknowledged in open court or where the records of the court failed to show a minute of such acknowledgment in open court such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or by reason of the fact that the records of the court fail to show a minute of such acknowledgment in open court if in all other respects the laws relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before any officer duly authorized by law to take acknowledgments and all such treasurers' sales and treasurers' deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioner of any county at such treasurers' sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been acknowledged in open court and a proper minute thereof made in full conformity with the law relating thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Smith, C. C.,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Hewitt,	Myers,	Stuart,
Bucchin,	Hocker,	Najaka,	Swope,
Cadwalader,	Hoffman,	Naumann,	Tahl,
Capano,	Hoopes,	Needham,	Thomassy,
Chervenak,	Horan,	Neff,	Thompson,
Chudoff,	Imbt,	Nelson,	Tittle,
Clevenger,	Jennings,	O'Connor,	Tompkins,
Cochran,	Johnson,	O'Dare,	Toomey,
Cole,	Johnston,	O'Donnell,	Turner,
Cook,	Jones,	O'Neill,	Vaughan,
Cooper,	Jump,	Orban,	Verona,
Cordier,	Kean,	Patten,	Wachhaus,
Costa,	Kelley,	Petrosky,	Wagner,
Crowley,	Kemp,	Pichney,	Waldron,
Dague,	Kent,	Pickens,	Wallin,
Dalrymple,	Kirley,	Polaski,	Walton,
Davison,	Kilne,	Powers,	Waterhouse,
De Long,	Kohl,	Price,	Watkins,
Demech,	Kratz,	Propert,	Watson,
Dennison,	Krise,	Ragot,	Weldner,
Depuy,	Kurtz,	Readinger,	Weiss,
Dix,	Laughner,	Reagan,	Wescott,
Dye,	Layer,	Reese, D. P.,	West,
Efenberg,	Lee,	Reese, R. E.,	Wheeler,
Elder,	Lelsey,	Reilly, J. M.,	

Erb.	Livingston,	Relly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter.
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 710, Printer's No. 270 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 727, as follows:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" is hereby amended to read as follows

Section 2 When any soldier shall take any civil service appointment or promotional examination for a public position under the Commonwealth or under any political subdivision thereof he shall be given credit in the manner hereinafter provided for the discipline and experience represented by his military training and for the loyalty and public spirit demonstrated by his service for the preservation of his country

No soldier taking an civil service appointment or promotional examination shall be required to furnish nor shall he furnish in connection therewith his former rank or service serial number

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraff,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boies,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Breisch,	Haller,	Morrison,	Stank,
Brice,	Haudenschild,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Hewitt,	Najala,	Stonier,
Buchin,	Hocker,	Naumann,	Stuart,
Cadwalader,	Hoffman,	Needham,	Swope,
Capano,	Hoopes,	Neff,	Tahl,
Chervenak,	Horan,	Nelson,	Thomassy,
Chudoff,	Imbt,	O'Connor,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Tompkins,
Cole,	Johnston,	Orban,	Toomey,
Cook,	Jones,	Patten,	Turner,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Relly, J. M.,	Wescott,
Efenberg,	Lee,	Relly, W. J.,	West,
Elder,	Leisey,	Richter,	Wheeler,
Erb,	Livingston,	Robbins,	Wolf,
Evans,	Livingstone,	Robertson,	Wood,
Ewing,	Loftus,	Root,	Worley,
Feola,	Lovett,	Rose,	Yeakel,
Fish,	Lyons,	Rowen,	Yester,
Fiss,	Madden,	Royer,	Yetzer,
Flack,	Madigan,		Young,
Fleming,	Mazza,		Lichtenwalter.
Foor,	McCormack,		Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 964

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recall-

ing from the Governor House Bill No. 964, Printer's No. 357, for further amendments.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. ROBBINS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. WALDRON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Robbins vote on the final passage of this bill?

Mr. ROBBINS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegeny, Mr. Waldron vote on the final passage of this bill?

Mr. WALDRON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ROBBINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ROBBINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 7, by inserting after line 4 the following section: "Section 2. This act shall become effective immediately upon final enactment."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 152.

An Act to reenact clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle

and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing the permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals.

HOUSE INSISTS ON AMENDMENTS NON-CONCURRED IN BY SENATE

Mr. SORG. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 218.

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certificates.

HOUSE INSISTS ON AMENDMENTS NON-CONCURRED IN BY SENATE

Mr. SORG. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 426.

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 1, line 2 by inserting after the word "is" the word "wholly"; page 2, line 2 by striking out the word "forty-six" and inserting in lieu thereof the word "forty-eight".

Amend section 2, page 2, line 9 by striking out after "(a)" the following: "as a prerequisite for the granting of assistance to any person or by reason of any debt owed the Commonwealth by any person because of receiving assistance".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID P. REESE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,

Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weldner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Ebenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 477.

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain money collected under said act and the payment thereof to certain societies and association of individuals for prevent of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 13, by inserting after the word "societies", the words "and association of individuals"; Amend Section 2, page 5, line 1, by inserting after the word "county" the words "or if no such incorporated society exists in a county then to an unincorporated as-

sociation of individuals whose purpose is prevention of cruelty to animals"; amend Section 2, page 5, line 5, by inserting after the word "society" the words "or association"; amend Section 2, page 5, line 8, by inserting after the word "society" the words "or association"; amend Section 2, page 5, line 10, by inserting after the word "society" the words "or association"; amend Section 2, page 5, line 14, by inserting after the word "society" the words "or association"; amend Section 2, page 6, line 4, by inserting after the word "society" the words "or association".

On the question,
Will the House concur in the amendments made by the Senate?

Mr. SNIDER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

- | | | | |
|-------------|---------------|----------------|---------------|
| Aaronson, | Gallagher, | McCosker, | Sarraf, |
| Andrews, | Getchey, | McCullough, | Scanlon, |
| Bane, | Gibson, | McDonald, | Schuster, |
| Barrett, | Goff, | McKinney, | Scott, |
| Baumunk, | Goodling, | McMillen, | Serrill, |
| Beech, | Gorman, | Mihm, | Shoemaker, |
| Bender, | Graybill, | Mikula, | Simons, |
| Bentzel, | Greenwood, | Miller, | Smith, C. C., |
| Bloom, | Greer, | Mills, | Smith, C. M., |
| Boies, | Griffiths, | Mintess, | Snider, |
| Bonawitz, | Guthrie, | Mohr, | Sollenberger, |
| Boorse, | Gyger, | Mooney, | Sorg, |
| Bower, | Hall, | Moore, C. E., | Sproul, |
| Brelsch, | Haller, | Moore, H. A., | Stank, |
| Brice, | Haudenshield, | Morrison, | Stimmel, |
| Brown, | Helm, | Murray, | Stockham, |
| Brunner, | Hewitt, | Myers, | Stonier, |
| Buechlin, | Hocker, | Najaka, | Stuart, |
| Cadwalader, | Hoffman, | Naumann, | Swope, |
| Capano, | Hoopes, | Needham, | Tahl, |
| Chervenak, | Horan, | Neff, | Thomassy, |
| Chudoff, | Imbt, | Nelson, | Thompson, |
| Clevenger, | Jennings, | O'Connor, | Tittle, |
| Cochran, | Johnson, | O'Dare, | Tompkins, |
| Cole, | Johnston, | O'Donnell, | Toomey, |
| Cook, | Jones, | O'Neill, | Turner, |
| Cooper, | Jump, | Orban, | Vaughan, |
| Cordier, | Kean, | Patten, | Verona, |
| Costa, | Kelley, | Petrosky, | Wachhaus, |
| Crowley, | Kemp, | Pichney, | Wagner, |
| Dague, | Kent, | Pickens, | Waldron, |
| Dalrymple, | Kirley, | Polaski, | Wallin, |
| Davison, | Kline, | Powers, | Walton, |
| De Long, | Kohl, | Price, | Waterhouse, |
| Demech, | Kratz, | Propert, | Watkins, |
| Dennison, | Krise, | Ragot, | Watson, |
| Depuy, | Kurtz, | Readinger, | Weidner, |
| Dix, | Laughner, | Reagan, | Weiss, |
| Dye, | Lyer, | Reese, D. P., | Wescott, |
| Efenberg, | Lee, | Reese, R. E., | West, |
| Elder, | Leisey, | Reilly, J. M., | Wheeler, |
| Erb, | Livingston, | Reilly, W. J., | Wolf, |
| Evans, | Livingstone, | Richter, | Wood, |
| Ewing, | Loftus, | Riley, | Worley, |
| Feola, | Lovett, | Robbins, | Yeakel, |
| Fish, | Lyons, | Robertson, | Yester, |
| Fiss, | Madden, | Root, | Yetzer, |
| Flack, | Madigan, | Rose, | |
| Fleming, | Mazza, | Rowen, | |
| Foor, | McCormack, | Royer, | Speaker. |
| Frost, | | | |

NAYS—0

NOT VOTING—5

- | | | | |
|----------|------|--------|---------|
| Cassidy, | Sax, | Trent, | Upshur, |
| Henry, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 940.

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 2, line 11 by striking out after the word "the" where it appears the first time on the line the following "Sanitary Water Board in the".

On the question,
Will the House concur in the amendments made by the Senate?

Mr. DAVISON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

- | | | | |
|-------------|---------------|----------------|---------------|
| Aaronson, | Gallagher, | McCosker, | Sarraf, |
| Andrews, | Getchey, | McCullough, | Scanlon, |
| Bane, | Gibson, | McDonald, | Schuster, |
| Barrett, | Goff, | McKinney, | Scott, |
| Baumunk, | Goodling, | McMillen, | Serrill, |
| Beech, | Gorman, | Mihm, | Shoemaker, |
| Bender, | Graybill, | Mikula, | Simons, |
| Bentzel, | Greenwood, | Miller, | Smith, C. C., |
| Bloom, | Greer, | Mills, | Smith, C. M., |
| Boies, | Griffiths, | Mintess, | Snider, |
| Bonawitz, | Guthrie, | Mohr, | Sollenberger, |
| Boorse, | Gyger, | Mooney, | Sorg, |
| Bower, | Hall, | Moore, C. E., | Sproul, |
| Brelsch, | Haller, | Moore, H. A., | Stank, |
| Brice, | Haudenshield, | Morrison, | Stimmel, |
| Brown, | Helm, | Murray, | Stockham, |
| Brunner, | Hewitt, | Myers, | Stonier, |
| Buechlin, | Hocker, | Najaka, | Stuart, |
| Cadwalader, | Hoffman, | Naumann, | Swope, |
| Capano, | Hoopes, | Needham, | Tahl, |
| Chervenak, | Horan, | Neff, | Thomassy, |
| Chudoff, | Imbt, | Nelson, | Thompson, |
| Clevenger, | Jennings, | O'Connor, | Tittle, |
| Cochran, | Johnson, | O'Dare, | Tompkins, |
| Cole, | Johnston, | O'Donnell, | Toomey, |
| Cook, | Jones, | O'Neill, | Turner, |
| Cooper, | Jump, | Orban, | Vaughan, |
| Cordier, | Kean, | Patten, | Verona, |
| Costa, | Kelley, | Petrosky, | Wachhaus, |
| Crowley, | Kemp, | Pichney, | Wagner, |
| Dague, | Kent, | Pickens, | Waldron, |
| Dalrymple, | Kirley, | Polaski, | Wallin, |
| Davison, | Kline, | Powers, | Walton, |
| De Long, | Kohl, | Price, | Waterhouse, |
| Demech, | Kratz, | Propert, | Watkins, |
| Dennison, | Krise, | Ragot, | Watson, |
| Depuy, | Kurtz, | Readinger, | Weidner, |
| Dix, | Laughner, | Reagan, | Weiss, |
| Dye, | Lyer, | Reese, D. P., | Wescott, |
| Efenberg, | Lee, | Reese, R. E., | West, |
| Elder, | Leisey, | Reilly, J. M., | Wheeler, |
| Erb, | Livingston, | Reilly, W. J., | Wolf, |
| Evans, | Livingstone, | Richter, | Wood, |
| Ewing, | Loftus, | Riley, | Worley, |
| Feola, | Lovett, | Robbins, | Yeakel, |
| Fish, | Lyons, | Robertson, | Yester, |
| Fiss, | Madden, | Root, | Yetzer, |

Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter.
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 428.

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L., 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 3, page 4, line 12, by striking out the word "January" and inserting in lieu thereof the word "April".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,

Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 887 AND MESSAGE TAKEN FROM TABLE

Mr. KLINE. Mr. Speaker, I move that House Bill No. 887, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 887.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive

ties and providing for enforcement thereof; and repealing jurisdiction over certain proceedings; prescribing penal-inconsistent acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 3, line 8, by striking out after the word "or" the word "used," and inserting in lieu thereof the word "use;" line 11, by striking out after the bracket in letter "(e)" the word "excess;" page 3, line 12, by inserting after the word "self-insurers" the following "as defined in rules and regulations which the insurance commissioner hereinafter referred to as the "commissioner" shall promulgate;" page 3, line 20 and page 4, line 1, by striking out the words "Insurance Commissioner hereinafter referred to as."

Section 3, page 5, line 13, by striking out after the word "discriminatory" the words "between risks involving identical rate making factors."

Amend section 4, page 7, by striking out lines 10, 11, 12, 13 and 14 as follows

(c) Any special filing with respect to a contract or policy covering a risk involving rate making factors not contemplated in previous filings shall become effective when filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect and inserting in lieu thereof the following:

(e) Any filing with respect to a surety or guaranty bond required by law or by court or executive order or by order rule or regulation of a public body not covered by a previous filing or any filing with respect to a contract or a policy covering any risk or kind or insurance or subdivision thereof for which classification rates do not generally exist in the industry or which by reason or rarity or peculiar characteristics does not lend itself to normal classification or rating procedure shall become effective when filed and shall be deemed to meet the requirements of this act

Amend section 6, page 14, by striking out lines 16, 17, 18, 19, and 20 as follows:

(d) No rating organization shall refuse to rate in accordance with this act or to file any proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make

Amend page 15, line 1, by striking the bracket and "c" and inserting in lieu thereof the bracket and letter "(D)" such filing on behalf of the proponent thereof only

Amend page 16, line 9, by inserting after the word "effective" the following: "unless the commissioner reviews and authorized the filing to become effective before the expiration of such period."

Amend Section 8, page 16, line 17, by inserting after the word "Minority" the following:

Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings he may in the event he finds that such action or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order Provided however if the appeal is from the action of the rating

organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

The failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section

Amend page 18, line 13, by inserting after the word "section" the following:

Any member of or subscriber to a rating organization may appeal to the commissioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filing of such rating organization and the commissioner shall after a hearing held upon not less than ten (10) days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization Provided however That if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

Amend section 18, page 30, line 8, by inserting after the word "shall" the word "not."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STIMMEL. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Buechlin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervanek,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davidson,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Lelsey,	Reilly, J. M.,	Wheeler,

Drb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter.
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0

NOT VOTING—5

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 888 AND MESSAGE TAKEN FROM TABLE

Mr. KLINE. Mr. Speaker, I move that House Bill No. 888, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 888.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 4, line 5, 6, 7, 8, and 9 by striking out the following:

(f) To insurance written on an assessment basis by a mutual insurance company. However insurance written on an assessment basis may be subjected to the provisions of this act by the company filing with the insurance commissioner an agreement subjecting such insurance to the provisions of this act.

Amend section 2, page 4, by inserting after line 16 the following:

Nothing in this act shall require a domestic mutual fire insurance company or a domestic reciprocal or exchange to file a schedule of rates or to become a member of any rating bureau but such companies reciprocals or exchanges may at their option file such schedules or become members of rating bureaus.

Amend Section 3, page 5, line 11, by striking out after

the word "not" the words "readily adaptable" and inserting in lieu thereof the word "applicable"; Amend page 5, line 14, by striking out after the word "discriminatory" the words "between risks involving essentially the same rate making factors".

Amend Section 6, page 15, by striking out lines 12, 13, 14, and 15 as follows:

(d) No rating organization shall refuse to rate in accordance with this act or to file any proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make such filing on behalf of the proponent thereof only.

Amend page 15, line 16, by striking out "(c)" and inserting in lieu thereof "(D)"; page 16, line 9, by striking out "(f)" and inserting in lieu thereof "(E)"; line 19, by striking out "(g)" and inserting in lieu thereof "(F)".

Amend Section 7, page 17, line 12, by inserting after the word "effective" the following: "unless the commissioner reviews and authorizes the filing to become effective before the expiration of such period".

Amend Section 8, page 17, line 19, by striking out after the word "Minority" the words "Any member of or subscriber"; page 18, by striking out lines 1 through 12 as follows:

To a rating organization may appeal to the commissioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization. Provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act.

Amend Section 8, page 18, by inserting after line 12 the following:

Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its findings he may in the event he finds that such action or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order. Provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage He shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act.

The failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section.

Amend Section 16, page 31, line 6, by striking out after the word "review" the word "or" and inserting in lieu thereof the word "of".

Amend Section 19, page 31, by inserting after line 13 the following:

(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789).

known as "the Insurance Department Act of one thousand nine hundred and twenty-one"

Amend Section 19, page 32, by striking out lines 1, 2, 3 and 4 as follows:

(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one"

Amend Page 32, line 5, by striking out "(2) (1)"; line 9 by striking out "(3) (2)"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STIMMEL. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.			
Aaronson.	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,
Bucchin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Nez,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fisa,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwalter,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0.

NOT VOTING—5.

Cassidy, Sax, Trout, Upshur,

Henry,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 897 AND MESSAGE TAKEN FROM TABLE

Mr. KLINE. I move that House Bill No. 897, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 897.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus and repealing the sections relating to fire insurance rates and rating bureaus

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 19 by inserting after the word "Prohibited" the word "unfair".

Amend page 6, line 10, by striking out after the word "Section" the number "4" and inserting in lieu thereof the number "3".

Amend page 7, line 3, by striking out after the word "Section" the number "5" and inserting in lieu thereof the number "4".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KLINE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.			
Aaronson,	Gallagher,	McCosker,	Sarraf,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Hewitt,	Myers,	Stonier,

Buechin,	Hocker,	Najaka,	Stuart,
Cadwalader,	Hoffman,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Chervenak,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	O'Neill,	Turner,
Cooper,	Jump,	Orban,	Vaughan,
Cordier,	Kean,	Patten,	Verona,
Costa,	Kelley,	Petrosky,	Wachhaus,
Crowley,	Kemp,	Pichney,	Wagner,
Dague,	Kent,	Pickens,	Waldron,
Dalrymple,	Kirley,	Polaski,	Wallin,
Davison,	Kline,	Powers,	Walton,
De Long,	Kohl,	Price,	Waterhouse,
Demech,	Kratz,	Propert,	Watkins,
Dennison,	Krise,	Ragot,	Watson,
Depuy,	Kurtz,	Readinger,	Weidner,
Dix,	Laughner,	Reagan,	Weiss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Reese, R. E.,	West,
Elder,	Leisey,	Reilly, J. M.,	Wheeler,
Erb,	Livingston,	Reilly, W. J.,	Wolf,
Evans,	Livingstone,	Richter,	Wood,
Ewing,	Loftus,	Riley,	Worley,
Feola,	Lovett,	Robbins,	Yeakel,
Fish,	Lyons,	Robertson,	Yester,
Fiss,	Madden,	Root,	Yetzer,
Flack,	Madigan,	Rose,	Young,
Fleming,	Mazza,	Rowen,	Lichtenwaller,
Foor,	McCormack,	Royer,	Speaker.
Frost,			

NAYS—0.

NOT VOTING—5.

Cassidy,	Sax,	Trout,	Upshur,
Henry,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1286

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1286, Printer's No. 504, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

BILL AND COMMUNICATION LAID ON TABLE

Mr. FLEMING. Mr. Speaker, I move that this bill together with the communication from the Governor, be laid on the table.

The motion was agreed to.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Sproul for Mr. LAYER for tomorrow's session.

CONGRATULATORY RESOLUTION

Mr. BENDER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 2, 1947.

Lieutenant (j. g.) Larry Chervenak, U. S. N. R., son of our able and amiable fellow member of the House of Representatives, the Honorable Michael C. Chervenak and Mrs. Chervenak, has just published his first book entitled "The Leftovers" based upon his experiences in the Pacific theatre after the cessation of hostilities.

Graduated from his high school as valedictorian of his class at the age of fifteen, Larry Chervenak gave early promise of abilities in the fields of public speaking and literature.

At Pennsylvania State College he became managing editor of the school paper, the "Daily Collegian," was President of the Sigma Delta Chi, professional journalism society, President of Theta Xi, national social fraternity and won the college debate title was well as gaining the semi-final rounds of the national intercollegiate debate competition.

After further studies at Harvard University, Larry Chervenak entered the United States Navy in December, 1942, and soon was commissioned as an Ensign. As the youngest chief supply officer of a cruiser in the Navy he has visited thirty-four countries and rose to the rank of Lieutenant, senior grade, during the war and now holds the rank of Lieutenant, junior grade, in the Naval Reserve.

While in the service he continued his literary efforts through contributions to the "Navy Magazine," "Our Navy" and "This Week Magazine."

Having just received an assignment in Europe, Larry Chervenak is leaving to assume it in a few days; therefore, be it

Resolved, That the members of the House of Representatives extend their heartiest congratulations to the Honorable and Mrs. Michael C. Chervenak, and their son, Larry Chervenak, upon the publication of his first book and likewise extend their best wishes for its enthusiastic reception in the literary world; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a certified copy of this resolution to the Honorable and Mrs. Michael C. Chervenak.

The SPEAKER. The Chair recognizes the gentleman from Cambria Mr. Chervenak.

Mr. CHERVENAK. Mr. Speaker, the offering and adoption of the resolution congratulating Mrs. Chervenak and myself on our son Larry is a pleasing surprise—I mean it. However, let me say that whatever success my five children have is through the training of their mother, all credit goes to her. However pardon my parental pride, I want to say a few remarks about my other children. God has been kind to us by blessing us with five wonderful children. I like to speak briefly about them.

M. C. Chervenak, III, chemical engineer worked on the atom bomb at Oak Ridge. He was one of 10 percent of the scientific personnel who were awarded special medals for their contribution to the atom bomb.

Marcella Chervenak, Penn-State graduate, is now a research chemist at the University of Hawaii.

Bill Chervenak is attending the Navy School of Electronics at Corpus Christie.

Jim the baby. He likes to be called a baby, is a straight "A" Student in his senior year.

Mr. Speaker it is parental pride that causes me to include all of them. I want to express my and Mrs. Chervenak's thanks to Mr. Bender, the gentleman from Allegany, for offering the resolution. Also the House for its

adoption. It will be one of those priceless possessions that Mrs. Chervenak and I will always cherish, as a reward that comes to parents for the sacrifices that parents have undergone ours has been a great reward.

ANNOUNCEMENT

The SPEAKER. The following Members will please report in the office of the Chief Clerk immediately for a five minute conference: Messrs. Serrill, Turner, Hewitt, Tahl, Laughner and Lovett.

CONDOLENCE RESOLUTION

Messrs. GOODLING and BENTZEL offered a resolution, which was read, considered and adopted as follows:

In the House of Representatives, June 2, 1947.

Jacob M. Flinchbaugh, a former member of the House of Representatives, suddenly died at his home in Red Lion, Pennsylvania on May 30, 1947. He was 67 years of age.

A school teacher for many years and a mercantile appraiser for several years, our late former colleague was elected to the House of Representatives for seven terms and while a member gained the respect and admiration of many persons and enjoyed a popularity among his fellow members of the House of both political parties that few persons have achieved.

An earnest and sincere person, he was always active in church and charitable affairs.

At the time of his death, he was employed in the Treasury Department of the Commonwealth; therefore, be it

Resolved, That the members of the House of Representatives express their deep sorrow over the sudden death of their former colleague, Jacob M. Flinchbaugh, and respectfully extend to his widow, Mrs. Emma Belle Leber Flinchbaugh and to his daughter, Mrs. Edward Lucas, their sincerest expression of sympathy; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to Mrs. Flinchbaugh and Mrs. Lucas as a token of their deepest sympathy.

ANNOUNCEMENT

The SPEAKER. The Members are requested to leave their Journal files on the desk so that the Sergeant at Arms may add a new volume.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 426.

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof.

HOUSE BILL No. 477.

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 22) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in

certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies and association of individuals for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpected funds.

HOUSE BILL No. 887.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act, prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings, prescribing penalties and providing for enforcement thereof, and repealing inconsistent acts.

HOUSE BILL No. 888.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts

HOUSE BILL No. 897.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges

HOUSE BILL No. 940.

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh

and eighth classes and revising amehding and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Tuesday, June 3, 1947, at 11 a. m., D. S. T.

Appropriations, Room No. 246, Tuesday, June 3, 1947, at 12:30 o'clock noon, D. S. T.

Banking and Building and Loan Associations, Room No. 330, Tuesday, June 3, 1947, at 11:30 a. m., D. S. T.

Cities and County—Second Class, Room No. 521, Tuesday, June 3, 1947, at 11:30 a. m., D. S. T.

Education, Room No. 324, Tuesday, June 3, 1947, at 11:30 a. m., D. S. T.

Highways, Room No. 329, Tuesday, June 3, 1947, at 10 a. m., D. S. T.

Insurance, Room No. 330, Tuesday, June 3, 1947, at 12:30 o'clock noon, D. S. T.

Judiciary, Room No. 438, Tuesday, June 3, 1947, at 11 a. m., D. S. T.

Municipal Corporations, Room No. 521, Tuesday, June 3, 1947, at 11 a. m., D. S. T.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 3, 1947, at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 6:01 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., TUESDAY, JUNE 3, 1947.

No. 68.

SENATE

TUESDAY, June 3, 1947.

The Senate met at 11:30 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth! Who hast set Thy glory above the heavens. We rejoice that we are privileged to laud and magnify Thy Holy Name, and be assured that Thy promises to the children of men are valid and sure, for Thou canst not deny Thyself. We rejoice in the fact that Thou hast promised happiness to the godly. And in the message of the Book we read:

Blessed is the man that walketh not in the council of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.

But his delight is in the law of the Lord; and in His law doth he meditate day and night.

And he shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper.

Be pleased, O Jehovah God, to let happiness, filled with joy, peace and love flow through our hearts, homes and our nation, to the end that the New Jerusalem of universal good will and brotherhood shall possess the earth. In Thy Ineffable Name, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS to SENATE BILL No. 428 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred

in amendments made by the Senate to Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN SENATE BILL No. 100

He also returned to the Senate, Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 220

He also returned to the Senate, Senate Bill No. 220, entitled:

An Act to further amend sections twelve, thirteen and fourteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, na-

tional banks, trust companies, and other corporations receiving deposits of money and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 253

He also returned to the Senate, Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell merchandise

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 336

He also returned to the Senate, Senate Bill No. 336 entitled:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employees of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 343

He also returned to the Senate, Senate Bill No. 343, entitled:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments,

boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," further regulating examination and disposition of records, imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials; and authorizing the commission to procure the advice of experts and to pay for such services.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 376

He also returned to the Senate, Senate Bill No. 376, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collection of tolls for the use of such bridges and repealing certain acts

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 408

He also returned to the Senate, Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 434

He also returned to the Senate, Senate Bill No. 434, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 438

He also returned to the Senate, Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 553

He also returned to the Senate, Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 554

He also returned to the Senate, Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 563

He also returned to the Senate, Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 638

He also returned to the Senate, Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train".

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 659

He also returned to the Senate, Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 674

He also returned to the Senate, Senate Bill No. 674, entitled:

An Act validating county commissioner's deeds where the acknowledgement of such deed or deeds was defective in any respect or where the acknowledgement was not properly taken.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 675

He also returned to the Senate, Senate Bill No. 675, entitled:

An Act validating County Treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 727

He also returned to the Senate, Senate Bill No. 727, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 426

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 477

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "Dog Law of 1921" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals, upon petition to and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 887

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regu-

lating persons, associations, companies and corporations and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts, giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 888

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine and fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reporting by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 897

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921" excluding from the provisions thereof fire rating bureaus and repealing the section relating to fire insurance rating and rating bureaus.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 940

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the constitution, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Laws," allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

BILLS SIGNED

The PRESIDENT pro tempore, M. Harvey Taylor), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section

three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

Senate Bill No. 220, entitled:

An Act to further amend sections twelve, thirteen and fourteen of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases; staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise, and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county

controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

Senate Bill No. 334, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities.

Senate Bill No. 336, entitled:

An Act to amend the title, to further amend section two and to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution attachment, levy and sale; and making an appropriation," including employees of municipal authorities within the provisions of the act, and prescribing the procedure by which municipal authorities may join the retirement system.

Senate Bill No. 343, entitled:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the Act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," further

regulating examination and disposition of records, imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials; and authorizing the commission to procure the advice of experts and to pay for such services.

Senate Bill No. 376, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania, with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance and operation of bridges across the Delaware river, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges; and repealing certain acts.

Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

Senate Bill No. 434, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "Dog Law of 1921" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals, upon petition to and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act

relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases.

Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

Senate Bill No. 675, entitled:

An Act validating County treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

Senate Bill No. 727, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," excluding from the provisions thereof fire rating bureaus and repealing the section relating to fire insurance rates and rating bureaus.

House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

Whereupon,
The PRESIDENT pro tempore, (M. Harvey Taylor), in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Allegheny, Mr. Walker, to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," further providing for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose.

Which was committed to the Committee on Local Government.

House Bill No. 933, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by further providing for the assessment of taxable property.

Which was committed to the Committee on Local Government.

House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks, and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies, except in cities where dog license fees are paid into the city treasury.

Which was committed to the Committee on Appropriations

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or appor-

tion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provision thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

The PRESIDING OFFICER. The message will be laid on the table.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

The PRESIDING OFFICER. The message will be laid on the table.

SENATE BILL No. 575 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income, and the apportionment of receipts and expenses among tenants and remaindermen.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calendar.

COMMUNICATIONS

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

1947 June 2

Hon. G. Harold Watkins,
Sec'y. Penna. Senate, Harrisburg
To be read to the Senate:

Daylight saving is causing nervous disorders in school children because of lack of sleep. I can prove this through parents in Philadelphia who protest against continuing this menace. Hope House Bill 771 by Representative Worley is made law.

JOHN P. TURNER Md., Member of Board of Public Education and Police Surgeon, Philadelphia.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Appropriations re-reported as committed, Senate Bill No. 471, entitled:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings, the furnishing of housing and other facilities and services, the purchase of equipment and supplies, and for other necessary expenses.

He also, from the Committee on Appropriations reported as committed, House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwino Dam at Northampton Northampton County Pennsylvania damaged by flood waters.

He also, from the Committee on Appropriations reported as committed, House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts.

He also, from the Committee on Appropriations reported as committed, House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. FARRELL, from the Committee on Local Government reported as committed, House Bill No. 1332, entitled:

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

Mr. WATSON, from the Committee on Appropriations, reported as committed, House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

Mr. DONLAN, from the Committee on Local Government, reported as committed, Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands, for the tax year one thousand nine hundred forty-four and previous years, shall be liens, and during which the county treasurer shall have the right to sell the lands, on which such taxes are liens, for the payment of such taxes; reviving such liens, and restoring the treasurer's right to sell such lands in certain cases; and saving the rights of intervening purchasers, mortgagees, lien holders, and other encumbrance holders.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto," increasing maximum appropriation which may be made for agricultural extension work.

He also, from the Committee on Local Government, reported as committed, House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

Mr. HOMSHER, from the Committee on Appropriations, reported as committed, House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Mr. SCARLETT, from the Committee on Appropriations, reported as committed, House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

Mr. MALLERY, from the Committee on Local Government reported as committed, House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

Mr. WOLFE, from the Committee on Appropriations reported as committed, House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

Mr. WAGNER, from the Committee on Education reported as amended, House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

He also, from the Committee on Education reported as amended, House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

He also, from the Committee on Education reported as amended, House Bill No. 873, entitled:

An Act to repeal the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and re-assignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

He also, from the Committee on Education reported as amended, House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administ-

ered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school districts employing substitutes

He also, from the Committee on Education reported as amended, Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course.

He also, from the Committee on Education reported as amended, Senate Bill No. 776, entitled:

An Act making an appropriation to the Department of Public Instruction to establish an experimental program in the education of the deaf and hard of hearing children in their local environments administrated and supervised by the Department of Public Instruction.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. HARE from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid on the table.

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Ritchey, Loysburg, Bedford County, for appointment as Prothonotary of the Court of Common Pleas, Clerk of the Court of Quarter Sessions of the Peace, Clerk of the Court of Oyer and Terminer, and Clerk of the Orphans' Court in and for the County of Bedford, until the first Monday of January, 1948, vice Harry L. Ritchey, deceased.

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. HARE, from the Committee on Education reported as committed, Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' colleges.

Mr. WADE, from the Committee on State Government, reported as amended, House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such Members to retire under certain circumstances and defining "year of service".

Mr. CARR, from the Committee on Education, reported as committed, Senate Bill No. 834, entitled:

An Act relating to the public school system; prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents, superintendents of special education, supervisors of agriculture, supervisors of home-making and district superintendents; providing for reimbursements by the Commonwealth, and for reimbursements by school districts for pupils attending schools of other districts; imposing duties on certain county officers; and repealing inconsistent legislation.

Mr. RUTH, from the Committee on Education, reported as committed, House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties.

Mr. STIEFEL, from the Committee on Appropriations, reported as amended, House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1262, entitled:

An Act making an appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Mr. BERGER, from the Committee on Education reported as committed, Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board, and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation.

Mr. BECKER on behalf of Mr. TALLMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

Mr. BECKER on behalf of Mr. TAYLOR, from the Committee on Appropriations, reported as committed, House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

He also on behalf of Mr. TAYLOR, from the Committee on Appropriations, reported as committed, House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

He also on behalf of Mr. TAYLOR, from the Committee on Appropriations, reported as committed, House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation."

Mr. DiSILVESTRO, from the Committee on Appropriations, reported as committed, House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1336, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. CHAPMAN, from the Committee on Appropriations reported as amended, Senate Bill No. 602, entitled:

A Further Supplement to the Act, approved the first day of April, one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1250, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy".

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property.

Mr. GELTZ, from the Committee on Appropriations, reported as committed, House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. BARR, from the Committee on Local Government, reported as committed, Senate Bill No. 9, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," increasing fees to be charged.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 734, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission providing for cooperations with and by the Joint State Government Commission and making an appropriation.

He also, from the Committee on Appropriations, reported committed, House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor."

Mr. SNOWDEN, from the Committee on Appropriations, reported as committed, House Bill No. 1260, entitled:

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirement on the State debt.

BILLS INTRODUCED AND REFERRED

Mr. WILSON read in his place and presented to the Chair Senate Bill No. 835, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," extending the time within which State employees may become "original members."

Which was committed to the Committee on State Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by further regulating the payment of such moneys into the State Employees' Retirement Fund.

Which was committed to the Committee on Insurance.

EXECUTIVE NOMINATIONS CALLED FROM THE TABLE

Mr. KEPHART. Mr. President, I call from the table the Executive Nominations reported from Committee on May 27th, 1947, and also the Executive Nominations reported at today's session.

UNANIMOUS CONSENT UNDER RULE 38

A motion was made by Mr. KEPHART and Mr. LORD, to grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Ritchey, Loysburg, Bedford County, for appointment as Prothonotary of the Court of Common Pleas, Clerk of the Court of Quarter Sessions of the Peace, Clerk of the Court of Oyer and Terminer, and Clerk of the Orphans' Court in and for the County of Bedford, until the first Monday of January, 1948, vice Harry L. Ritchey, deceased.

JAMES H. DUFF.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Charles D. Hughes, 838 Hurton Street, Dale, Johnstown, Cambria County, as Justice of the Peace in and for the Borough of Dale, Cambria County, until the first Monday of January, 1948, vice Charles H. Berkebile, resigned.

Roger B. Stevens, Pine Creek Lodge, Gaines, Tioga County, as Justice of the Peace in and for the Township of Gaines, Tioga County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

ALDERMAN

George A. Painter, 1420 Northampton Street, Easton, Northampton County, as Alderman in and for the Eighth Ward of the City of Easton, Northampton County, until the first Monday of January, 1948, vice Leon S. Parr, resigned.

JUSTICE OF THE PEACE

Pete Russo, 114 Lloyd Avenue, Latrobe, Westmoreland County, as Justice of the Peace in and for the Borough of Latrobe, Westmoreland County, until the first Monday of January, 1948, vice Frank J. Schisler, deceased.

JAMES H. DUFF.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate W. C. Minter, R. D. No. 1, Claysville, Washington County, for appointment as Justice of the Peace in and for the Township of Buffalo, Washington County, until the first Monday of January, 1948, vice John S. Wright, deceased.

JAMES H. DUFF.

MEMBERS OF THE STATE BOARD OF
PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Board of Public Assistance:

James J. Knoud, 2512 South 22nd Street, Philadelphia, Philadelphia County, until the third Tuesday of January, 1952. (Reappointment)

Frank A. Robbins, Jr., Parkway Apartments, Harrisburg, Dauphin County, until the third Tuesday of January, 1952. (Reappointment)

Hon. George T. Spang, 729 Cumberland Street, Lebanon, Lebanon County, from December 18, 1945, until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Mrs. Elizabeth Conner Hensyl, 401 East 2nd Street, Berwick, Columbia County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Mrs. Selma J. Gollmar, 158 Highland Avenue, West View, Allegheny County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Hon. Samuel Y. Ramage, III, East 9th Street, Woodland Heights, Oil City, Venango County, from December 18, 1945, until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

JAMES H. DUFF.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Whereupon,

A motion was made by Mr. KEPHART and Mr. LORD, that the Senate do advise and consent to the nominations reported on May 27, 1947 and the nominations reported at today's session.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Getz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

REPORT FROM COMMITTEE

Mr. DONLAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DONLAN from the Committee on Military Affairs and Aeronautics, reported as amended, Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further changing the provisions for markers and headstones at the graves of deceased service persons, and prescribing penalties.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the Committee on Education has just presented to the floor a so-called compromise bill known as Senate Bill 834. There is a misconception of the terms compromise in the minds of many persons interested in this legislation. I want it clearly understood that there is no compromise that involves the Democratic position in the matter of school teacher legislation contained in this bill.

This bill, as I understand it, is a compromise between Republican members of the Senate Committee on Education and the House Committee on Education. Democratic members on both these committees were not consulted nor were they a party to any agreement relative to this legislation. We therefore reserve the right to act accordingly.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, just a few moments ago the monstrosity commonly known as the Homsher-Berger Bill, Senate Bill 834, was presented to this Senate. In so doing they have completely ignored the first-class school districts of Pennsylvania. In these conference committees between Republican members of the House and the Senate, with the exception of one day for one hour, there was no one there, Republican or Democrat, representing first-class districts.

The first-class district which I happen to represent, the city of Pittsburgh, is in the same category as the first-class district of Philadelphia.

In this bill the subsidy calls for \$700 return for the year 1947 and \$800 return for the year 1948.

Mr. President, out of a total appropriation of \$48,000,000 for the year of 1947, the city of Pittsburgh school district will receive the sum of \$285,000 and in 1948 will receive \$285,000 twice; in other words, to add \$285,000 three times will get in the next biennium \$855,000, with a \$48,000,000 appropriation.

Mr. President, it looks to me as if a city that conducts an honest government, or a county that conducts an honest government on their assessments, are being penalized by the General Assembly this year. In the city of Pittsburgh we have a twenty-eight mill tax on land, a fourteen mill tax on buildings, an eight mill county tax, an eight and three-quarter mill school tax, adding up roughly to about a sixty mill tax.

On account of this monstrosity, this legislation pending here, the city of Pittsburgh will have to put on as a school tax, extra taxes. In other words, there will be a head tax, and added to that there will probably be a mercantile tax and, if that does not get enough, they will probably put on a personal property tax.

Just yesterday they put on an additional cigarette tax and an extra beer tax and I wonder, Mr. President, where the people of Pittsburgh and the people of Philadelphia are going to land. I am going to stand here and watch and see if any Senator from the city of Philadelphia or the city of Pittsburgh can vote for this bill. When the time comes to talk about the bill, I will have more to say about it, but I think this is perhaps the most unfair bill that ever came before this General Assembly.

Statistics show that the city of Pittsburgh is assessed about one-sixth of the taxes of this state; in other words, there are about \$48,000,000 to be spent, so, just using common grade school arithmetic, we should receive \$8,000,000, but instead of that for the next biennium we will receive \$855,000.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

OVER IN ORDER

Mr. TALLMAN, Mr. President, I ask unanimous consent that House Bill No. 438 on concurrence in House amendments, recalled from the Governor, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within six years after the effective date of this act.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,
Will the Senate concur in the same?

**SENATE NON-CONCURS IN AMENDMENTS MADE BY
THE HOUSE TO SENATE BILL No. 318**

Mr. WOODRING. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 318.

Mr. STEVENSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Donahia,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**BILL ON FINAL PASSAGE RECALLED
FROM GOVERNOR**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 477, as follows:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of inmates and their probation or parole

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority

and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" are hereby amended to read as follows

Section 3 When any male person over the age of fifteen years is convicted of crime before any court or is held as a juvenile delinquent by any juvenile court or is detained in any prison industrial school workhouse house of correction penitentiary or any other penal or correctional institution under sentence and such person is in the opinion of the court or the superintendent jail physician or warden of the institution where maintained so mentally defective that he should be cared for and maintained in the Pennsylvania Institution for Defective Delinquents such superintendent physician or warden shall make application upon a form prepared by the Department of Welfare to the court having jurisdiction of the charge against such person which court upon the presentation of such petition or upon its own motion in case of convictions before it or juvenile delinquents appearing before it or upon application of the district attorney the defendant or counsel for the defendant or other person acting for the defendant shall order an inquiry by a psychiatrist and a psychologist or by two qualified physicians [or by psychiatrist] as now provided by law [in case the person has not been sentenced] who shall immediately examine the said person and make written report of its findings to the court If in the opinion of the psychiatrist and psychologist or the physicians [or psychiatrist] the person so committed or convicted or held in mentally defective and has criminal tendencies whether or not coupled with mental instability he or they shall so state in the report of their examination to the court The court may in its discretion summon other witnesses and secure further evidence If the court is then satisfied that the person thought to be mentally defective is not insane nor can be classified as an idiot or imbecile by recognized psychological tests nor a psychopath or an infirmity case though in fact mentally defective with criminal tendencies the court shall order the commitment or transfer of such person to the Pennsylvania Institution for Defective Delinquents If any person who has been sentenced and is so committed or transferred shall recover the time during which he was in the Pennsylvania Institution for Defective Delinquents shall be computed as a part of the term for which he was sentenced In case sentence has not been imposed the court shall have power to commit such person to the Pennsylvania Institution for Defective Delinquents in lieu of sentence to a prison workhouse Pennsylvania Industrial School penitentiary or any other penal or correctional institution where required by a relevant act of Assembly or by law and direct the detaining of such defendant in such institution until the further order of the court

Section 4 The expenses of examination including the [fees] fee of the psychiatrist and psychologist or physicians [and psychiatrists] and all costs incident to the commitment transfer to and maintenance of such person in the Pennsylvania Institution for Defective Delinquents shall be borne by the county from which such person was committed

Section 9 When in the opinion of the board it appears that the mental condition of any inmate has so improved that his release will be beneficial and not incompatible with the welfare of society the board shall notify the Department of Welfare whereupon such department may recommend the discharge of such inmate to the court committing or sending him to the institution which recommendation shall be accompanied by a record of the case setting forth the date of the original commitment the institutions in which such person was an inmate and the time spent in each the history of the case in the Pennsylvania Institution for Defective Delinquents and the opinion of the superintendent and physician or psychiatrist as to the present mental condition of such inmate Where-

upon the court may in its discretion after hearing all persons desirous of being heard issue an order under the seal of the court upon the Department of Welfare to discharge such inmate from the said institution or to return such inmate to the jurisdiction of the committing or sentencing court for probation or parole as the court shall determine

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 3, on third reading, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 88, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township Cumberland County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-three thousand dollars (\$63,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the repair and permanent improvement of Laurel Dam and the dredging of Laurel Lake of the Commonwealth of Pennsylvania located in Cook Township Cumberland County Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 106, as follows:

An Act to amend the title of and the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" including corporations within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two three four seven eight twelve and thirteen of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" are hereby amended to read as follows

An Act making it unlawful for any corporation corpora-

tions individual or individuals to carry on any business under advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent and certain corporations organized under any laws other than those of this Commonwealth to be qualified to do business in this Commonwealth prescribing the effect of failure to file such application providing that certificates of the Secretary requiring county commissioners at the expense of the Secretary of the Commonwealth shall be admitted in evidence to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application on the dissolution disqualification or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties

Section 1 No corporation corporations individual or individuals shall hereafter carry on or conduct any business in this Commonwealth under any assumed or fictitious name style or designation except in the case of a corporation that of its proper corporate name unless the corporation corporations person or persons conducting or carrying on the name shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary in the county wherein the principal place of business is located to be entered in a book provided for that purpose or to be entered or recorded by microfilming or other photographic process an application under oath and signed by two duly authorized officers of such corporation or of each of such corporations or by such person or persons setting forth the real name or names and the residence including number and street if any of all the persons and the corporate name and the address including number and street of any of the registered office in this Commonwealth of each such corporation owning or interested in said business the name style or designation under which said business is being or will be carried on or conducted a brief statement concerning the character or nature of said business and the location of the principal office or place of business including number and street if any

Section 2 Where all of the individual owners of said business live outside the Commonwealth of Pennsylvania and desire to carry on or conduct any such business within the Commonwealth then such business shall be conducted through a resident agent such application shall also show the name and residence address including number and street if any of such agent Where the owner or one of the owners of said business is a corporation organized under any laws other than those of this Commonwealth and it desires to carry on or conduct any such business within the Commonwealth then prior to the filing of such application it must be duly authorized to do so under the laws of this Commonwealth if required by the said laws and the application shall also show the date when and by what official a certificate of authority to do business in this Commonwealth was issued or shall state that no such certificate is required by law

Section 3 Before any such application shall be filed in the office of the Secretary of the Commonwealth or in the office of the prothonotary of the county aforesaid notice of intention so to file the same shall be given by publication once in a newspaper of general circulation published in the political subdivision of said county wherein the principal office or place of business is located (or if no newspaper is there published then in a newspaper of general circulation published in the county) and also in the legal newspaper if any published in said county Such advertisement shall set forth notice of intention to register in the office of the Secretary of the Commonwealth and in the office of the prothonotary of the said county and the date when such application will be filed the name or names and the address including number and street if any of the registered office in this Commonwealth of each corporation and residence address or addresses including number and street if any of all persons owning or interested in said business the name style or designation

tion under which said business is being or will be carried on or conducted and the location of its principal place of business including number and street if any Proofs of publication of such notice shall be submitted with such application to the Secretary of the Commonwealth and the office of the prothonotary Upon the filing of said application with proofs of publication and payment of proper fees the Secretary of the Commonwealth shall forthwith issue a certificate of registration

Section 4 The failure of any such corporation corporations person or persons to file the applications aforesaid in the office of the Secretary of the Commonwealth or in the office of the prothonotary shall not impair or affect the validity of any contract with such corporation corporations person or persons and actions or proceedings in law or in equity may be instituted and maintained on any such contract but no such action shall be instituted or recovery had by any such corporations or persons on any such contract either expressed or implied in any the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such corporations person or persons comply with the provisions of this act And provided further Before any such corporation corporations person or persons may institute an action in any of the courts of this Commonwealth before any justice of the peace or magistrate thereof on any cause of action arising prior to the filing of the application provided for in this section such corporations person or persons shall pay to the Secretary of the Commonwealth for the use of the Commonwealth a license fee or fine of twenty-five dollars (\$25.00) This act shall apply to all actions pending at the date of the passage of this act Provided That the plaintiff in such suit shall pay all costs accrued prior to compliance with the provisions of this act Provided That this act shall not apply to any cases adjudicated at the date of the passage of this act

Section 7 Any corporation corporations person or persons conducting or carrying on any business in this Commonwealth which or who in compliance with the provisions of this act have filed or may hereafter file an application as herein provided in the office of the Secretary of the Commonwealth and in the office of the prothonotary shall upon the dissolution of any such corporation or the withdrawal or cancellation of its certificate of authority to do business in this Commonwealth if a certificate be required or upon the dissolution of any such business or upon his or their withdrawal from such business file a statement of cancellation or withdrawal as the case may be and shall thereupon have the right to require the Secretary of the Commonwealth and the prothonotary in whose office such application was filed to cancel such application if the business has been dissolved or was withdrawn solely by a corporation which has been dissolved or withdrawn or has had canceled its certificate of authority or to make a notation on the margin of the book in which such application was entered to the effect that it has been cancelled or withdrawn and that they are no longer connected with or interested in said business if it be or they have withdrawn from the business or if one of the corporate owners thereof has been dissolved or has withdrawn or has had canceled its certificate of authority Provided however That if the entry or recording of such application be by microfilming or other photographic process then the statement of cancellation or withdrawal shall be entered or recorded in like manner as a separate instrument The Secretary of the Commonwealth shall forthwith issue a certificate of cancellation or withdrawal

Section 8 The statements of cancellation or withdrawal required to be filed by this act shall be under oath signed by two duly authorized officers of such corporation corporations or by such person or persons and shall set forth that such corporation or business has been dissolved or such certificate of authority has been withdrawn or canceled or that such corporation corporations person or persons (giving the name or names and address) have withdrawn therefrom that the business no longer exists or that the corporation corporations person or persons desiring the notation or the entry or recording to be made are no longer connected with or interested in the business the date when such corporation or business

was dissolved or such certificate of authority was withdrawn or canceled or when such corporation corporations person or persons withdrew therefrom and a request that the application be canceled or that the notation or entry or recording as aforesaid be made Thereupon it shall be the duty of the Secretary of the Commonwealth and the prothonotary upon the payment of the same fee as charged for the entry of the application to cancel such application or to make the notation as requested or to enter or record the filing of the same as heretofore provided

Section 12 Any corporation person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding five hundred dollars or if a person by imprisonment not exceeding one year or both in the discretion of the court

Section 13 Information against any corporation person or persons violating any of these provisions of this act may be made before any justice of the peace magistrate or alderman by any aggrieved citizen of the Commonwealth by the Attorney General thereof or by the district attorney of the county in which the offense was committed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rahausen,	Watson,
Cinder,	Homsher,	Rosenfeld,	Wilson,
Crowe,	Jaspan,	Ruth,	Wolfe,
Dent,	Kephart,	Scarlett,	Wood, L. H.,
DiSilvestro,	Klein,	Snowden,	Wood, T. N.,
Doehla,	Lane,	Stevenson,	Woodring,
Donlan,	Leader,	Stiefel,	Walker,
Farrell,		Tallman,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 195, as follows:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions (a) The term "employee" as used in this act shall mean any person employed for hire in any lawful business industry trade or profession or in any other lawful enterprise

(b) "Employer" shall mean any one who employs employees

(c) "Employ" shall mean to engage suffer or permit to work

(d) "Occupation" shall mean any industry trade business profession or any other employment

(e) "Comparable work" shall mean work of comparable character or work on comparable operations.

(f) "Secretary" shall mean Secretary of Labor and Industry

Section 2 Wage Rates No employer shall discriminate in any way in the payment of wages or salaries in any occupation as between the sexes or pay any female in his employ in any occupation salary or wage rates less than the rates paid to male employees for comparable work

Provided however that nothing herein contained shall prohibit a variation in salary or wage rates based upon either difference in seniority experience training skill or ability or difference in duties and services performed either regularly or occasionally or difference in the shift or time of the day worked or difference in availability for other operations or any other reasonable differentiation except difference in sex and provided further that nothing herein contained shall prohibit a variation in salary or wage rates as between the sexes where the same is provided by a contract between the employer and the recognized bargaining agent of the employees

Section 3 Powers of Secretary (a) The secretary shall have the power and it shall be his duty to carry out and administer the provisions of this act

(b) For this purpose the secretary or his authorized representative shall have the power to enter the establishment of any employer to inspect and copy payrolls and other employment records to compare character of work and operations on which persons employed by him are engaged to question such persons and to obtain such other information as is reasonably necessary to the administration and enforcement of this act

(c) The secretary shall have the power to issue such administrative regulations consistent with the purpose and provisions of this act as he deems necessary for the efficient administration thereof

Section 4 Collection of Unpaid Wages (a) An employer who wilfully and knowingly violates the provisions of section two of this act shall be liable to the employee or employees affected in the amount of their unpaid wages Action to recover such wages may be maintained in any court of competent jurisdiction by any one or more employees Any agreement between the employer and an employee to work for less than the wage to which such employee is entitled under this act shall be no defense to such action The court in such action shall in addition to any wages and damages allow a reasonable attorney's fee and costs of the action to the plaintiff At the request of any employee paid less than the wage to which she is entitled under this act the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim. The secretary shall not be required to pay the filing fee or other costs in connection with such action

(b) Any action pursuant to the provisions of this act must be brought within three years from the date upon which the violation complained of occurs

(c) Any employee may directly or through his attorney agent or collective bargaining representative waive compromise adjust settle or release any claim which such employee may have under this act either before or after commencement of suit thereon and a waiver compromise adjustment settlement or release of any such claim by such employee or his attorney agent or collective bargaining representative shall be a complete satisfaction of such claim and a complete bar to any action based on such claim

Section 5 Records and Reporting Every employer subject to this act shall make keep and maintain such records of the wages and wage rates job classifications and other terms and conditions of employment of the persons employed by him and shall preserve such records for a period of four years and shall make such reports therefrom as the secretary shall prescribe

Section 6 Abstracts The Department of Labor and Industry shall prepare an abstract of the provisions of this act copies of the abstract shall be printed in accordance with the laws of the Commonwealth regulating printing and publishing and the Department of Labor and Industry shall supply the same to all persons required to post them Employers subject to the provisions of this act shall be required to keep such abstract posted in a conspicuous place

Section 7 Penalties (a) Any employer who Wilfully and knowingly violates any provisions of this act or who discharges or in any other manner discriminates against any employee because such employee has made any complaint to her employer the secretary or any other person or instituted or caused to be instituted any proceeding under or related to this act or has testified or is about to testify in any such proceedings shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) or to undergo imprisonment for not less than thirty (30) days nor more than sixty (60) days or by both such fine and imprisonment Each day such a violation continues shall constitute a separate offense

No action shall be maintained to the extent such action is based upon any act done or omitted to be done in good faith consistent with or in reliance on any administrative regulation order ruling interpretation enforcement policy or practice notwithstanding that after such act or omission such order ruling administrative regulation interpretation policy or practice is modified rescinded or declared by judicial authority to be invalid or of no legal effect

(b) Any employer who fails to keep the records required under this act or to furnish such records to the secretary upon request or who falsifies such records or who hinders delays or otherwise interferes with the secretary or his authorized representatives in the performance of his duties in the enforcement of this act or refuses such official entry into any establishment which he is authorized by this act to inspect shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) Each day such a violation continues shall constitute a separate offense

Section 8 Effective Date This act shall become effective six months after the date of its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blase,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rahausen,	Watson,
Crider,	Homscher,	Rosenfeld,	Wilson,
Crowe,	Jaspan,	Ruth,	Wolfe,
Dent,	Kephart,	Scarlett,	Wood, L. H.,
DiSilvestro,	Klein,	Snowden,	Wood, T. N.,
Doehla,	Lane,	Stevenson,	Woodring,
Donlan,	Leader,	Stiefel,	Walker,
Farrell,		Tallman,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 200, on third reading, entitled:

An Act to further amend the act approved the twentieth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled as amended "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under Administration of the State Employees' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by increasing the amount of the State annuities, removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on third reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employee and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment in this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions members and pension payments to beneficiaries and provide in certain circumstances for the return of contributions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 365, on third reading, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the monies derived from such increase

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 406, on third reading, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-ninth day of June one thousand nine hundred twenty-five (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 437, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) as much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Historical and Museum Commission for further restoration preservation and improvement of the birthplace of the world's petroleum industry at Drake Well Memorial Park for the completion of a replica of the original Drake Well derrick and its machinery for the payment of salaries wages or other compensation for professional technical or other services necessary for planning and executing the restoration preservation and improvement of Drake Well Memorial Park for the necessary cost of landscaping for revegetating the property and installing suitable boundary monuments for relocating the paths and improving park areas for raising sections of the park area above flood level and for repairing the dike for the purchase of tools implements books manuscripts pictures and other objects of interest to the public in connection with the history of petroleum for the purchase of necessary equipment and other incidental and contingent expenses

And said bill having been read at length the third time, I agreed to,

and the amendments made thereto having been printed required by the Constitution,

On the question,

shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Mr. Frazier,	Lord,	Tarr,
Mr. Gertz,	Mahany,	Taylor,
Mr. Haluska,	Mallery,	Tyler,
Mr. Hare,	Margie,	Wade,
Mr. Heyburn,	Rahausen,	Wagner,
Mr. Hopman,	Holland,	Watson,
Mr. Homsher,	Rosenfeld,	Wilson,
Mr. Jaspán,	Ruth,	Wolfe,
Mr. Kephart,	Scarlett,	Wood, L. H.,
	Snowden,	

DiSilvestro,
Doehla,
Donlan,
Farrell,

Klein,
Lane,
Leader,
Letzler,

Stevenson,
Stiefel,
Tallman,

Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 466, on third reading, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 467, on third reading, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 472, on third reading, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 529, on third reading, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 541, on third reading, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee to include employees of the Interstate Commission on the Delaware River Basin.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 715, on third reading, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758, as follows:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and ad-

ministrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined as amended by further changing the provisions relating to the maximum compensation of the State Civil Service Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twentieth day of March one thousand nine hundred forty-five (P. L. 44) is hereby further amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than [one thousand five hundred dollars] three thousand dollars per diem compensation in any one year [, except that with the approval of the Governor such limitation on the aggregate amount of one thousand five hundred dollars shall not apply for the biennium 1943-1945 nor for the duration of the war and six months thereafter]

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, on Senate Bill 758 I intend to vote for it, but, as you know, the understanding originally was that all these salary raises would only amount to ten per cent and I want to call to the attention of the Senate that this is far above that.

Section 501 Examinations Requisite for Appointment and Promotion (a) Except as otherwise provided in this act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the results of examinations given by the director to determine the relative merit of candidates Such examinations shall be written and competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated as central administrative offices (which shall include all those having jurisdiction throughout the

State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in offices designated as district offices (which shall include all those whose jurisdiction is limited to a particular district) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application. The director shall prepare the proper State and district employment and promotion eligible lists when necessary. Provided That after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district who has passed the examination the director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of positions of administrative districts which are contiguous or nearby to the administrative district in which there is no person on the appropriate eligible list. [Any person who has passed the examination may be placed on the employment list for offices designated as district offices if such person indicates his desire for employment in such office. The appointing authority for that office may at its discretion refuse to consider such a person for appointment if he does not have legal residence in that district and may request that the director certify only persons having legal residence in that district. Provided however That the option of refusing consideration to persons not having legal residence in the district is automatically voided at any time that the employment list does not contain the names of persons having legal residence in the district.] Limitations as to age sex health moral character experience and other qualifications may be specified in the rules of the commission and in the announcements of the examinations. All applications for positions in the classified service shall be under oath. As far as is in the judgment of the commission consistent with the best interest of the Commonwealth vacancies shall be filled by promotion. The commission may limit competition in promotion examinations to employees in the classified service who have completed their probationary period in a class or classes designated in the public notice of the examinations and may permit promotions to be accomplished by any one of the three following plans (1) by appointment from open competitive lists or (2) by appointment without examination if the person has completed his probationary period in the next lower position and if he meets the minimum requirements for the higher position or (3) by achieving a place on an eligible list after a promotional examination such examination having been given at the request of the appointing authority.

Section 502 Nature of Examinations. The director shall give examinations to establish employment and promotion lists. The tests in such examination may be written and may also include oral tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors. Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and shall fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education in order to be permitted to take any competitive examination or to be appointed or promoted to any position. No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby. In evaluating experience in order to compute the final rating in any examination to establish employment and promotion

lists persons other than dishonorably discharged after active service during any war in which the United States engaged from any branch of the armed service of the United States or from any women's uniformed service directly connected therewith shall not be given less credit for experience than would be given for continued experience in the position held at the time of induction in the service. No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate.

Section 507 Duration of Employment and Promotion. Lists Appointing authorities shall utilize employment and promotion lists from the date of their establishment until exhausted cancelled by the commission or replaced by more recently prepared lists. Provided That when an appointing authority deems it to be in the best interests of the Commonwealth the commission shall cancel such lists if two years or more have elapsed since a competitive examination was held. The director with the approval of the commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action. Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified. The commission shall have the power at any time after giving notice as required in this act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith.

Section 802 Furlough. In case a reduction in force is necessary in the classified service no employee shall be furloughed while any probationary or provisional employee is employed in the same classification and no probationary employee shall be furloughed while a provisional employee is employed in the same classification. An employee shall be furloughed only if at the time he is furloughed he is within the lowest quarter among all employees of the employer in the same classification on the basis of their last regular service ratings and within this quarter he shall be furloughed in the order of seniority. Provided That the appointing authority may limit the application of this provision in any particular instance to employees in the same classification with headquarters at a particular municipality county or administrative district of the Commonwealth.

A furloughed employee shall have the right of return to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in both instances there is a vacancy with the same appointing authority. The appointing authority shall promptly report to the director the names of employees furloughed together with the date the furlough of each is effective and the character of his services. Under the rules a permanent employee furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employee such preference shall not be effective if it necessitates furloughing such other employee.

Section 807 Removal. (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation. To all persons in the classified service except provisional temporary and emergency employees or probationary employees [who have served longer than two months] written notice of removal setting forth the reasons for such action and effective date thereof must be furnished. They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person removed may desire. In

every case of removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the commission. Within thirty days after receipt of such notice of removal from an appointing authority the commission upon the request of the appointing authority or of the removal employee or upon its own behalf shall initiate an investigation which shall include a public hearing. Such investigation and hearing may be conducted by the commission or by anyone designated by the commission. The investigation and hearing shall be for the purpose of fairly determining whether the employee involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service. At the hearing the commission or those acting for the commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case. Where an investigation is conducted at the request of the removed employee the commission within ten days after the completion of such investigation and hearing or sooner if practicable shall make its findings and conclusions which shall be forthwith certified to the appointing authority. If the commission finds that the action complained of was taken by the appointing authority for any political partisan religious or racial reason or because of labor union affiliation the employee shall be reinstated to his position without loss of pay. In all other cases the final decision shall not be reviewable by any court but if such final decision is in favor of the employee the appointing authority shall reinstate him with the payment of so much of the salary or wages lost by him as the commission may in its discretion order. The commission may in its discretion upon request of an appointing authority order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate eligible list or that he be transferred or reinstated to his former or a lower position provided that he meets the minimum qualification for the position and provided that such action is taken not later than thirty days after the appointing authority has [certified his decision] made its request to the commission.

(b) Charges against any employee in the classified service asking for his removal for a violation of law or for any cause enumerated in the rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the director. Charges so filed shall at the discretion of the commission be recorded in its minutes be investigated and determined in the manner provided in this section.

(c) Notwithstanding the provisions of this act the Governor may upon recommendation of the appointing authority suspend or remove the director and any employee if he deems such action to the best interests of the public service.

(d) Demoted or furloughed employees shall have such rights of notice and hearing similar to those provided under this section for removed employees as shall be prescribed in the rules of the commission.

Section 2 Article II of said act is hereby amended to read as follows

Article II

Civil Service Commission and [Personnel] Executive Director and Their Powers

Section 3 Subsection (b) of section three and sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of said act are hereby amended to read as follows

Section 3 Definition of Terms In this act unless the context otherwise clearly requires

(b) "Director" means the [Personnel] Executive Director

* * * * *

Section 301 Establishment of Classes The director shall [within ninety days] as soon as practicable after taking office and after consultation with the Executive Board of the Commonwealth State appointing authorities and principal supervising officials classify all of the positions in the classified service according to the duties and responsibilities of each position. The plan of classification shall designate appropriate titles for each class of position and shall recommend to the commission the qualifications to be required of persons assigned or appointed to positions in each class. The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class. The statement which shall be known and described as "The Classification Plan" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The director shall present such classification plan to the commission. The commission after adopting such classification plan either as presented or in modified form shall publish the classification plan.

Section 401 Compensation Schedules For each class established under this act the director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with state appointing authorities and their principal assistants [and approval by the commission shall report] shall present to the commission which shall submit to the Executive Board of the Commonwealth for its approval modification or rejection a schedule of compensation for each class. Such schedules shall show for each class a minimum salary rate a maximum salary rate and such intermediate rate or rates as the director considers necessary and proper [Subject to the approval of the commission the] The director may from time to time recommend to the commission which shall submit to the Executive Board of the Commonwealth for its approval modification or rejection changes in the schedule of compensation for any class together with the reasons therefor. Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employees in the classified service shall be in accordance with the existing law.

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period. The probationary period for each class of position shall be prescribed in the rules of the commission and shall in no case be less than three months or more than nine months. At such times during the probationary period and in such manner as the director may require the appointing authority shall report to the director his observation of the work of the employee and his judgment as to the willingness and ability of the employee to perform his duties satisfactorily and as to his dependability. At any time during his probationary period [after the first two months thereof] the appointing authority may remove an employee if in the opinion of the appointing authority the probation indicates that such employee

is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service Upon such removal the appointing authority shall forthwith report his action to the director and to the employee so removed No more than three employees shall be removed successively from the same position during their probationary periods without the approval of the director [The appointing authority may remove an employee within the first two months of his probationary period only with the approval of the director] The director with the approval of the commission shall remove an employee during his probationary period if it is found after the employee has been given notice and an opportunity to be heard that he was appointed as a result of fraud

(b) Ten days prior to the expiration of an employee's probationary period the appointing authority shall notify the director in writing whether the services of the employee have been satisfactory A copy of such notice shall be given to the employee If the employee's work has been satisfactory he shall at the completion of his probationary period become a classified service employee under the provisions hereof and continue in that position unless separated therefrom as herein provided

(c) If any employee is removed from his position during or at the end of his probationary period and the director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days in any twelve-month period except that during the first year after the [effective date of this act] repeal of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) provisional appointments may continue until appropriate eligible lists can be established and a person may serve in the classified service under provisional appointment until appropriate eligible lists can be established and certification made therefrom Successive provisional appointments of the same or different persons shall not be made to the same position The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding [ten] thirty days and may with the approval of the commission be extended for a further period not to exceed thirty days The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency Persons thus appointed shall be known as emergency employees Appointing authorities shall forthwith report to the director all emergency appointments and such appointments shall not be renewed

Section 607 Status of Employees Holding Positions When Act Takes Effect Any employee who holds a position which is in the classified service as herein defined and which was in the classified service under the law in force immediately preceding the effective date of this act shall if he has been appointed after appropriate competitive or competitive promotional examination and has

successfully completed his probationary period become a classified service employee under the provisions hereof and continue in that position unless separated therefrom as herein provided Any such employee who has not completed such probationary period at the time this act takes effect shall retain his status as a probationary employee until the expiration of that probationary period If he successfully completes his probationary period he shall become a classified service employee under the provisions hereof and continue in that position unless separated therefrom as herein provided Any provisional employee holding a position in a bureau division board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a provisional employee under the terms hereof All war-duration appointments reclassifications and promotions made pursuant to the provisions of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) shall continue as war-duration appointments until appropriate eligible lists have been established and certifications made therefrom Any employee having accepted war-duration appointment reclassification or promotion shall have the right of return to his former position and status in the classified service

Section 701 Training Programs The director [shall] devise and recommend plans for employee training programs to may develop in cooperation with appointing authorities and other supervising officials and shall if requested cooperate with them in the conduct of such plans for employee training programs to the end that the quality of service rendered by persons in the classified service may be continually improved

Section 704 Service Standards and Ratings In cooperation with appointing authorities the director shall establish and may from time to time amend standards of performance and output for employees in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards [In such manner and with such weight as may be provided in the rules service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating and as a factor in determining the order of furlough when forces must be reduced because of lack of funds or work and the order in which names are to be restored on employment lists and as a means of discovering employees who should be promoted demoted transferred or removed In such manner and at such time as the rules may require each appointing authority shall report to the director the service ratings of employees under his jurisdiction or such information as the director may request as a basis for determining such service ratings Upon request any employee shall be informed of his service rating and may be informed of the service ratings of other employees in the same class] Service ratings shall be considered for such purposes as the rules of the commission shall provide

Section 804 Removal during Probationary Period The appointing authority may remove an employee from the classified service at any time [after two months from the date of his appointment and] before the expiration of the probationary period The appointing authority shall furnish the director with a statement in writing of the cause of the removal The person so removed shall be considered permanently separated from his position but the director may if he considers such action appropriate place the name of the person thus removed on the employment list of the appropriate class for future certification to other appointing authorities

Section 806 Resignation The rules of the commission shall state what shall constitute resignation from the classified service Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation [No person who has voluntarily resigned from the service shall be restored to his position]

within six months from the effective date of his resignation. No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof. No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dated or undated. No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his handwriting. Any person who resigns from the classified service may ask the commission in writing within fifteen days after such resignation for a public hearing stating his reasons. If on investigation there appears to be good evidence that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal.

Section 904 Prohibition of Political Activity. No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of [or attend the meetings of] any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employe in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw. Provided however That the rights of any individual as a citizen are not impaired hereby and the prerogative to attend meetings to hear or see any candidate or nominee or to express one's individual opinion shall remain inviolate.

Section 4 Repealer. The following Act of Assembly is hereby repealed absolutely:

The act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission."

Section 5 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 6 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Mahany,	Taylor,
Becker,	Geltz,	Mallery,	Tyler,
Berger,	Hare,	Margle,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Kephart,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
Dow,	Lane,	Stevenson,	Wood, T. N.,
DISilvestro,	Leader,	Stiefel,	Woodring,
Doehla,	Letzler,	Tallman,	Walker,
Donlan,	Lord,	Tarr,	Presiding Officer
Farrell,			

NAYS—2

Haluska Jaspan

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 771, as follows:

An Act to further amend section seven and to amend section eight of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items held by any administrator or executor trustee fiduciary depository of the court receiver or other officers of the court which are escheatable may be joined in one action of escheat and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held and further providing that the Attorney General or any other person authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator and further providing that the court may make orders relative to advertising and notice of the proceedings whether the escheatable property is real or personal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" as last amended by the act approved the thirteenth day of April one thousand nine hundred forty-three (P. L. 41) is hereby further amended to read as follows:

Section 7 That whensoever any escheator shall be duly commissioned by the [Auditor General] Department of Revenue of and concerning any property real or personal escheated or supposed to have escheated to the Commonwealth under the provisions of this act he shall

apply by petition to the court having jurisdiction in the premises to hear and determine whether an escheat has occurred or not and shall in his petition set forth the facts of his appointment and the nature and character of the alleged escheat and shall also state as far as he conveniently can the location character and amount of the property real and personal alleged to have escheated together with the name and address of the person or persons having the same in his or their possession whereupon the said court shall have power to issue a summons or citation directed to any administrator or executor trustee fiduciary depository of the court receiver or other officer of the court to show cause if any they have why they should not file a true and accurate account of all and singular the said property alleged to have escheated as aforesaid and if upon sufficient proof by oath or affirmation of the service of said summons or citation no good and valid cause be shown to the contrary the said court shall proceed to direct said administrator or executor trustee fiduciary depository of the court receiver or other officer of the court to file his said account Any number of items of any property real or personal may be joined in one action against any administrator or executor trustee fiduciary depository of the court receiver or other officer of the court though held by said administrator or executor trustee fiduciary depository of the court receiver or other officer of the court for different persons under various fiduciary obligations or trusts or in any other manner whatsoever At any stage of said proceedings the Attorney General or any person who is authorized under the provisions of The Fiscal Code approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) to prosecute such escheat proceedings shall be entitled to discovery with respect to the subject matter of the said proceedings against any administrator or executor trustee fiduciary depository of the court receiver or other officer of the court without the necessity of specifying the items which should escheat with the right to compel an answer or answers under oath to subpoena all persons as witnesses and to compel the production of all books papers and records and from time to time the pleadings may be amended to pray for the escheat of specific items escheatable under the laws of this Commonwealth and to make parties to the proceedings such other parties who shall have or who may have an interest in the said proceedings The Attorney General or any person who is authorized under the provisions of The Fiscal Code approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) to prosecute the right of the Commonwealth to any property real or personal which has escheated or which is supposed to have escheated under the laws of the Commonwealth shall in addition to any other rights and powers vested in him by law have the same rights and powers as those prescribed by law for an escheator and shall have the right to prosecute an escheat proceeding in the same manner as prescribed by law for proceedings by an escheator And in all cases where any real estate has escheated or is supposed to have escheated by reason of the death of the person last seized thereof without heirs or known kindred the said court shall have power to order the administrator or executor of said person to file a true and accurate statement of all the real estate whereof said decedent died seized describing the same by metes and bounds together with the buildings and improvements thereon erected as far as he has been able to ascertain the same And whensoever it shall appear by the account of any executor or administrator or any receiver or other officer of the court or of any trustee or other person in a fiduciary capacity or upon the audit of any such account that the said receiver or other officer trustee or other person has in his possession or has any knowledge of the existence of any real estate which shall have escheated or is supposed to have escheated to the Commonwealth the said court shall have power to order and direct the said administrator or executor receiver or other officer trustee or other person filing an account as

aforesaid to file a true and accurate statement of all said real estate describing the same as aforesaid so far as he has been or shall be able to ascertain the same and any and all accounts and statements filed under the provisions of this act shall be verified by oath or affirmation in the customary manner And whensoever any escheator shall have been commissioned by the Department of Revenue of and concerning any money estate or effects which have been or shall hereafter be paid into or deposited in the custody or be under the control of any court of the United States in and for any district within this Commonwealth or shall be in the custody of any depository registry or of any receiver clerk or other officer of any such court of the United States he may join in one petition of escheat any number of items of such money estate or effects though held for different persons or in different proceedings in such court of the United States

Section 2 Section eight of said act is hereby amended to read as follows

Section 8 That whensoever any proceeding in escheat have been instituted as aforesaid the court having jurisdiction in the premises shall upon the filing of any account or statement by any administrator executor depository of the court receiver or other officer of the court or of any trustee or other person in a fiduciary capacity of any property or estate real or personal escheated or supposed to be escheated proceed to the audit and adjudication of said account or statement in the same manner as the said court commonly proceeds upon the audit and adjudication of the accounts of executors administrators and trustees and shall upon said audit proceed to inquire and determine whether there has been any escheat or not and if so in what manner and for what cause said escheat has occurred and also what estate real or personal has escheated and what is the value thereof And the said court shall in all cases where any real estate has escheated or is alleged to have escheated before proceeding finally to hear and determine the question of escheat order and direct notice of said proceedings to be served upon the person or persons in possession of said real estate in such form as the court shall direct and the said court shall have full power and authority to summon any person or persons who shall be at any time alleged to have any knowledge touching any escheat or any interest therein to appear before it and said court shall have full power and authority to examine any and all of said persons upon their oaths or affirmations as to any fact or facts matter or thing touching said escheat and shall suffer and permit the escheator and all parties claiming to have any interest in said proceedings to appear therein by counsel or otherwise and to produce and examine such witnesses under oath or affirmation as they may see fit touching said escheat [and] And the said court shall have full power at any stage of said proceedings whether said proceedings shall be for the escheat of personal property or real property when they may think it wise so to do to make such orders relative to advertisements and notices of the proceedings as shall best serve to inform and advise all parties having an interest or who may have an interest in said proceedings of the pendency thereof

Section 3 This act shall become effective immediately and shall apply to all proceedings now pending as well as hereafter instituted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,

Frazier,
Geltz
Haluska

Lord,
Mahany,
Mallery,

Tarr,
Taylor,
Tyler,

Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahausen,	Wagner,
Chapman,	Holland	Rosenfeld,	Watson,
Crider,	Homsher	Ruth,	Wilson,
Crowe,	Jaspan	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 807, as follows:

An Act to amend section 7 of the act approved the 16th day of May A D 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding sub-section (d) thereto providing for salaries for appointed members of the Commission

Section 1 Section 7 of the Act approved the 16th day of May A D 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State Highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" is hereby amended by adding after sub-section (c) a new section to read as follows

(d) The Chairman of the Commission shall receive an annual salary of One Thousand Five Hundred Dollars (\$1500) and the other appointed members of the Commission shall each receive an annual salary of One Thousand Dollars (\$1000) payable in monthly installments solely from funds provided under the authority of this act to begin when such funds shall have been provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SPECIAL ORDER OF BUSINESS ON THIRD READING AND FINAL PASSAGE, TUESDAY, JUNE 3, 1947 AT ONE p. m., EASTERN STANDARD TIME.

The PRESIDING OFFICER. The hour of one p. m., Eastern Standard Time having arrived, the next order of business is the special order of business on third reading and final passage bills, as follows, Senate Bill 230, Senate Bill 280, Senate Bill 361, Senate Bill 677, Senate Bill 678, Senate Bill 723, Senate Bill 775, Senate Bill 801, House Bill 826, House Bill 952, House Bill 1001, House Bill 1076.

Mr. HOLLAND. Mr. President, I offer the following resolution and ask that it be read for the information of the Senate.

PARLIAMENTARY INQUIRY

Mr. TALLMAN. Mr. President, I rise on a Parliamentary Inquiry.

The PRESIDING OFFICER. The gentleman from Lehigh will state his Parliamentary Inquiry.

Mr. TALLMAN. As I understand it, Mr. President, the Senate is now engaged on the special order of business set for one o'clock standard time, and I enquire whether the resolution just offered by the gentleman from Allegheny is within that order of business.

The PRESIDING OFFICER. The Chair inquires of the gentleman from Allegheny, Senator Holland, whether the resolution just presented is with reference to Senate Bill 230.

Mr. HOLLAND. Mr. President, the resolution is on the order of business.

The PRESIDING OFFICER. The Chair calls to the attention of the gentleman from Allegheny, Senator Hol-

land, that the special order of business has to do with the bills as listed under that heading on the calendar and that the resolution presented by the gentleman from Allegheny is not with reference to Senate Bill No. 230, the bill now before the Senate for consideration.

Mr. DENT. Mr. President, in order to expedite matters we had determined—and I think that is the understanding of both leaders—that we would take a period of general debate and discussion that would cover the contents of all the bills that are up under the special order of business. By so doing we can conserve time and still put into the record the arguments pro and con for the passage or non-passage of this legislation.

In that spirit this resolution is offered, as part of that program, as I understand it, it deals with all of the bills before us under the special order of business. If we are to break down our debate to each individual bill it will consume a great deal more time. However, that decision rests with the Chair.

Mr. TALLMAN. May the Senate be at ease?
(The Senate was at ease.)

DEBATE ON SPECIAL ORDER OF BUSINESS BILLS TO APPLY TO ALL BILLS

Mr. DENT. Mr. President, I move, in the debate on the bills under the special order of business, that all discussion will not be restricted to any one bill, or not be confined to any one particular bill, and that in the discussion any member may select any one of the group of bills for argument at any time, and I so move.

Mr. TALLMAN. I second the motion, Mr. President.

The PRESIDING OFFICER. The Chair understands that the motion covers all the bills under the special order of business, as contained in the first nine pages of today's calendar, namely, Senate Bills 230, 280, 361, 677, 678, 723, 775, 801, House Bills 826, 952, 1001, and House Bill 1076.

Mr. DENT. That is correct, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

MOTION THAT BILLS BE RE-COMMITTED TO COMMITTEE ON LABOR AND INDUSTRY

Mr. HOLLAND. In pursuance to Senate Resolution 62, introduced by Senator Dent and Senator Haluska, directing the Joint State Government Commission to study and investigate labor laws and report to the next session of the General Assembly, which resolution reads as follows:

In the Senate of Pennsylvania, May 12, 1947.

In order to effectuate a better understanding of the problems affecting both Labor and Industry and to bring about a more harmonious and cooperative meeting of Labor and Industry for the general welfare of the people of this Commonwealth, be it

Resolved, That the Joint State Government Commission is hereby directed to study and investigate the labor laws of this State and of other States, the advantages and disadvantages, merits and effects of such labor laws in this State and in other States and report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it deems necessary to carry out its recommendations.

This resolution, Mr. President, was unanimously adopted by the Senate, May 12, 1947. In view of this

resolution, Mr. President, I feel we are already committed.

MOTION THAT ALL BILLS ON THE SPECIAL ORDER OF BUSINESS BE RECOMMITTED

Mr. HOLLAND. Mr. President, I move that Senate Bills Nos. 230, 280, 361, 677, 678, 723, 775, 801; House Bills Nos. 826, 952, 1001, 1076; be recommitted to the Committee on Labor and Industry, until their contents are studied by the Joint State Government Commission, as per the resolution passed by the Senate.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring

NAYS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

So the question was determined in the negative.

Mr. DENT. Mr. President and members of the Senate, in order that there can be no question as to the nature and intent of the remarks that I am about to make on the general attitude of both major parties on labor legislation, I have prepared a statement in conjunction with some briefs, and with permission of the Senate I intend to present the statement and send to the Chair the briefs for inclusion in the Legislative Journal.

The PRESIDING OFFICER. Hearing no objection, permission is granted.

Mr. DENT. Mr. President, this attack upon the general welfare of labor as an organized group is the second phase in the well planned attack designed to destroy labor Unions as effective bargaining agencies.

The first phase started during the war and immediately after the end of hostilities. That phase dealt with the political freedom of labor organizations. In this State, through the medium of the Farrell Acts and in the Federal Congress through the Smith-Connolly and other equally as disastrous acts, the political activities of Unions were curtailed. Through the unprecedented demand by subsidized editorials, paid full spread advertising and the Peglerized rantings of biased columnist, legislation was passed that has in effect destroyed the effectiveness of concerted political action by Union workmen. By throwing up legal barriers to the raising and spending of political funds, by accusing labor leaders of raising and squandering huge slush funds politically, by sabotaging even the paltry \$1.00 per member drive of the C. I. O.—P. A. C., the labor haters and baiters were able to destroy for the time being any chance of success for labor's

friends in a political campaign. No better illustration can be given to prove this point than recalling the defeat of Senator Joseph F. Guffey by such a large majority by a candidate whose labor record in public office consisted entirely of promise and no practice.

Another example to prove my contentions concerns the publicity given to the so-called spending by the C. I. O.—P. A. C. during last year's election in Pennsylvania. Newspapers gave wide publicity to statements by the anti-labor candidates charging this labor group with spending sums ranging from one million to six million dollars. The truth of the matter was that this labor group spent approximately \$7000, a sum much less than was spent in one South Philadelphia ward to get the votes of the very group of citizens who were supposed to be protected from this sort of electioneering by the State and Federal laws.

I need not take the time of the Senate to give you the picture of the A. F. of L's political activities. I don't know how much or if any money was spent by this group. If there was any money spent it was not spent for me or my colleagues on the Democratic ticket as this group adopted a state-wide strategy of straddling and endorsed neither political party. By so doing they hoped to escape the second phase of the anti-labor campaign. However, the bills upon our calendar today, plus the Federal Acts being pushed through Congress by the Republican party proves to me, if not to them, that you can't get away from supporting your friends and defeating your enemies.

If we were interested solely in election returns, the Democratic party in Pennsylvania at this time could very well be the sponsors and supporters of the very legislation we are now so bitterly opposed to. We oppose the legislation without hope of reward, except in the satisfaction that comes from doing that which we believe to be right.

We believe we are right in the course we are taking, although at the moment it may mean condemnation . . . condemnation inspired and fanned to a fever pitch by misguided individuals and groups who are attempting to convince themselves while confusing others, into a belief that labor must be curbed if this Nation is to prosper. The trouble with this element of our society is that it talks about the common good and the common welfare while measuring its private bank accounts.

Future events will prove who was right in this all important decision. Today, with most persons employed and with some backlog of savings, the legislation won't look too important to millions of men and women who work for a living. However, after the third phase of the anti-Union campaign is over and labor again finds itself bidding for jobs, when its hands are tied and its feet are chained, when the wages and hours are dictated under the terms of these acts of the legislature, then the importance of what we are doing here today will become apparent.

We cannot support these bills because they are legal restraints upon individuals and organizations, that were conceived in anger and is giving birth to the bitter fruits of distrust, misunderstanding and a sadistic desire for revenge.

Legal barriers and restraints lose their effectiveness and potency when times of adversity set in. Men and

women think little of violating restrictive laws when they are hungry and in need. It is about the same as a soldier in the heat of battle when he charges into the lines of the enemy, although he may lose his life by so doing. We all witnessed the sorry spectacle when during the depression the farmers of the midwest refused to allow the orderly process of law in the matter of evictions and seizure of property.

I am a believer in the orderly processes of Government. I am a firm believer in law and order, and because I so believe I cannot support this legislation conceived and dedicated to the destruction of labor as an organized bargaining agency. I sincerely believe there is more danger to America in bread lines and soup kitchens than in the unbridled raving and ranting of radicals, regardless of their color.

Every man on this side of the Senate loves his home and family. Not one of us would cast a vote in this Senate Chamber to endanger either. However, we believe our homes to be safe and our children free just so long as our neighbor, be he labor or capital, enjoys the same rights and privileges as we claim for ourselves.

This legislation, when grouped together, fails to follow this philosophy, but puts barriers, pitfalls, restrictions and shackles upon one group of our citizenry, the men and women who belong to the labor organizations. The best proof of this statement appears in the history of the Senate, where the story unfolds itself in the many amendments put into the original bills by the sponsors with the hope, as they put it, "to make the bills less objectionable." Can sound legislation come out of this kind of thinking? It can not and will not!

This brings us to the Democratic platform of 1946 and the Republican platform of 1946, from which I will quote just one particular paragraph: "We will continue to broaden and liberalize the workmen's compensation and occupational disease laws at a level comparable with other states having similar industries with similar risks.

Ladies and gentlemen, to date there has not been one piece of legislation come from Republican-controlled committees that would give to labor any increased benefits in workmen's compensation or in occupational disease compensation. There is a bill, however, that purports to give some increased benefits in unemployment compensation. One would have to be very naive if he thought for one minute any person who reads House Bill 952 can find anything beneficial to labor in the contents of that bill.

At this point I would like to comment upon the general attitude of the sponsors of this anti-labor legislation since its introduction.

After a bitter fight by the recognized leaders of labor through the medium of the Democratic members of the Committee on Labor and Industry, the committee gave a public hearing on the anti-labor bills. However, they were denied the right to a hearing on Senate Bills Nos. 127, 265, 374 and 429, the labor bills that would give labor some gains in its uphill struggle in Pennsylvania.

This hearing was held with a gag upon the committee members. The whole attitude of the majority committee members was one of impatience and forgone conclusions. The time allocated to both sides was extremely short, in fact more time was allowed in every other public

hearing I have ever attended in all my experience in Harrisburg.

The Republican party feels that it has a mandate from the voters to hamstring union activities, to curb labor and to show who is the boss. The Senate Republican members of the Committee on Labor and Industry are being used as the tool to put into effect this so-called mandate.

I wonder how many persons within the hearing of my voice can remember the sessions of 1935 and 1937 in the Pennsylvania Legislature. Can you remember how the opposition fought bitterly because the Democratic party tried to give unemployment Compensation to unemployed workers, compensation to men injured in industry, occupational disease compensation to the victims of the dread industrial and mining diseases? Remember the bitterness when we passed the labor relations act, the maximum hours law for female employees and the minimum wage standard acts.

Do you remember the high drama in this Senate when we passed the trainmans' legislation called "full crew legislation?"

Yes, and you can remember too, how after the General Assembly and the Democratic Governor had approved the greatest social and humane program ever advocated in the history of Pennsylvania, the opposition started right in to cut it apart by first attacking it in the Supreme Court, and through the greatest campaign of personal persecution ever witnessed in Pennsylvania. Yes, labor legislation has had a rocky road to travel, and here today the Republican majority in the Senate is putting upon its brow the final kiss of death.

I submit, Mr. President, and members of the Senate, that you may destroy by legal actions the rights and privileges of labor, but you will never destroy the might of labor. It will be a sad day for America when the legal chains upon labor become shackles that squeeze from capital its life blood of profit, made possible only by the production of free labor.

What many capitalists are forgetting today is that every laborer, after he has given up his own ambitions to become a capitalist in his own right, fights for this goal through his children, giving them, if he can, every chance for a higher education, an opportunity to get above the station he himself has held in life. That is the main strength of the Democratic processes of government and the capitalists system of government in America.

Labor, collectively, has a higher resolve and purpose than exemplified by the men and organizations who would promote their legislation before us at this time. Labor can achieve its resolve and purposes only through collective action. Through his Union a laborer can keep alive his hope for something better for his children, his friends and his country.

John Mason Brown put it this way:

"What happiness is, no person can say for another. But no one, I am convinced, can be happy who lives only for himself. The joy of living comes from immersion in something—more accurately, anything—that we know to be bigger, better, more enduring, and worthier than we are.

"People, ideas, causes, above all, continuities—these offer the one possible escape not merely from selfishness

but from the hungers of solitude and the sorrows of aimlessness. No person is as uninteresting as a person without interests. The pitiful people are those who in their living elect to be spectators rather than participants; the tragic ones are those sightseers who turn their backs deliberately on the procession.

"Existence is a strange bargain. Life owes us little; we owe it everything. The only true happiness comes from squandering ourselves for a purpose."

Have any of you ever been to a Union meeting where strike talk is in progress? Have you ever witnessed the interest, the feverish excitement, the drama of men and women making a decision affecting the food upon their table, the clothes for their family, the rent and the gas, light and water bills? Yes, even the future of their employer comes into the discussion. I know, because I have participated and believe me when I say it is a story entirely different from the headlines in the newspapers.

You charge abuses and I admit that abuses can take place in labor relations. This is true on both sides, but laws and legal restraints won't change human nature or make men on either side of a labor dispute give each other the confidence and consideration demanded by decency, honor and fair play.

These anti-labor laws will do about as much for peace in the labor relations of our State as Prohibition did for true temperance.

These anti-labor laws are aimed in specific instances against labor leaders. You say there are certain labor leaders that are not trustworthy, not representative of the labor movement, and yet you aim the blunderbuss of reaction at all labor leaders.

I have known men who have worked all their lives in the labor movement, worked for others under the most adverse conditions. Yes, conditions that threatened their lives, harassed their children, worried their wives and destroyed their peaceful home lives.

George Bernard Shaw in preface to "Man and Superman" ably described this kind of a labor leader when he said:

"This is the true joy in life, the being used for a purpose recognized by yourself as a mighty one; the being thoroughly worn out before you are thrown on the scrap heap; the being a force of Nature instead of a feverish selfish little clod of ailments and grievances complaining that the world will not devote itself to making you happy."

You can pass this legislation, you have the power, yes you have the very power legislatively that can destroy the very power you have. Today you can do it, tomorrow the people will due it. I have to believe this, because I cannot see American labor shackled by the chains of reaction and greed without the sincere hope that I will again participate in the ceremonies that cut the chains and make all men free again in this Commonwealth.

In Pennsylvania the Chamber of Commerce of Philadelphia has taken the forefront in the fight to pass this anti-labor legislation. Every member of the Senate should read the release giving the views of the Chamber on this subject. If, after reading this release, you can still vote for this legislation, then I know that this legislation is being passed in a spirit of revenge and bitterness.

After you have read the release of the Chamber, I would ask you to read the open letter in the Pennsylvania Labor News, May 7th, 1947. In one you find the underlying motive to be one of selfishness, seeking advantage, in the other you find the high sentiments of common good and common welfare.

This is where I came in, common good and common welfare. I have called your attention to the two phases of the anti-Union campaign. The third phase will come in 1949 if the Republican party as it is constituted today, wins next year's National Election. That phase will be the signal for the greatest labor baiting and union busting campaign ever put on in America. The depression, Governor Duff has already given us a clue to, is only part of the scheme. Labor will die as an organized body, but will emerge stronger and more powerful than ever, but it will be years before we will again get to the high plane of labor relations enjoyed today.

I plead with you as men of good will, study the consequences, study tomorrow's problems and forget the conveniences of today.

I am submitting for the record a complete analysis of this legislation, covering its provisions and the results we feel will be obtained. In this analysis I cover the anti-strike features of this legislation academically. However, I must at this time take a moment to give my reasons logically, for a vote against this legislation.

I do not believe the group of citizens here assembled as representatives of the people can change a Constitutional guarantee, whether it feels it has a mandate to do so or not; when the constitution guaranteed each of us justice, domestic tranquility and the blessings of liberty to ourselves and our posterity.

In the Declaration of Independence we find in the preamble by Thomas Jefferson, the following statement of principle and fundamental right:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with inalienable rights; and that among these are life, liberty, and the pursuit of happiness."

It does not say these rights are given to all the people except school teachers and public employes or employes of public utilities; it says in clear cut language that all are created equal and that they are endowed by their Creator with inalienable rights—and it says all, it does not restrict it to a few chosen people who do not happen to work for the public or the public utilities. As I interpret this principle it does not restrict these inherent rights to any select group, nor does it qualify these rights with the nature of ones employment.

When we take one right from another citizen, what can stop us from taking other rights? If we can dictate the terms of his pursuit of happiness because of the nature of his employment, who can stop our dictation of his very method of living and the status of his liberty.

I do not intend, at this time, to take up any more of the time of the Senate to discuss the bill dealing with Merit Rating. However, on March 25th I gave a full analysis of this type of legislation. Sufficient to say that the same group of employers whose viewpoint is restricted to their own immediate welfare are now going one step further in denying compensation benefits to persons unemployed because of labor disputes. I have

pointed out before that the basic industries will eventually suffer from this shortsighted policy. I maintain that when a strike has reached the sixth week when compensation payments become due to the strikers there is a greater consideration in the settlement of that particular strike than the payment of unemployment compensation benefits.

There is not one instance in Pennsylvania's labor relations history where the consideration of unemployment benefits has been a determining factor in the prolongation of a strike. However, I can point to at least one specific case where a strike was settled the week that compensation benefits were due. There has been so much false information given by the static or scavenger industries that the basic employers have lost their sense of balance. This kind of legislation can mean but one thing, can mean the further curtailment of labor's rights, benefits and privileges under the law.

Another angle that is very serious at this time deals with the transfer from the unemployment compensation rolls to the direct relief rolls of the families of men and women in strike bound industries. Any one who entertains the silly notion that this bill will shorten a strike or possibly forestall one knows little or nothing about labor relations in modern industrial life. I for one can see no justification for this type of narrow minded legislative action.

Before I close I want to call to your attention to two or three specific conditions that pertain to one or two of the bills.

Senate Bill 230 has within its framework a condition that, if allowed to go into law, will destroy in Pennsylvania the apprentice rights of organizations that are built along the trade and craft lines. For over twelve hundred years in Great Britain, since the very beginning of the guilds, there has been set up an apprentice program that has always been sufficient to supply the needs of the times.

On Page 8, Lines 11 to 13, you will find a restrictive clause that destroys the apprenticeship program of the trade and craft unions in the state of Pennsylvania.

I do not believe the sponsors—and this is without reflection upon the ability of the sponsors to place upon the legislative books a bill doing exactly what they want to do—but I do not believe that the sponsors of this legislation know the full import of this particular feature of Senate Bill 230.

Another thing in that bill that has caused a great deal of comment is where they restrict a union's initiation fee to \$25. Merely as a sidelight, the gentleman who introduced this bill is the gentleman from Philadelphia, Senator Kephart. Senator Kephart represented the very men that this bill deals with, the United Mine Workers of America. If they are restricted in their dues and are restricted in their initiation fees, if they are restricted in how they manage their affairs, where would they get the sum of approximately \$25,000 that they paid Senator Kephart for his part in defending a case of their before the Supreme Court? I mean, gentlemen, it is a question of economics with unions, the same as it is with lawyers, doctors and others.

Senate Bill 280. This bill hits at every type of employment except the type of employment it started out to hit.

When this bill was first introduced, Mr. President, it

was widely heralded as a bill that would stop strikes in public utilities and by public employes and school teachers.

Mr. President, this bill already has been so amended that it does not deal with this phase of labor at all, those provisions are completely eliminated from the provisions of the bill. I understand that a little bit of pressure might have been the reason why these particular labor units were taken from the bill.

But here is a point I like under this bill, if you are interested, and the misnomer of it is the one I really like: it says "Pennsylvania Industrial Peace Act." Gentlemen of the Senate, here is what you do under this bill: first, under most union contracts there is a period of negotiations, prior to termination of a contract, of about ninety days in some instances sixty days, but in the major part of union contracts in Pennsylvania you will find a ninety-day negotiating clause. After the ninety days are over, under this so-called industrial peace act, here is what you do: first, ninety days of negotiation, and then thirty days of notice to the employer, and then thirty days of conferences, and then sixty days while the action is pending before the National Labor Relations Board, and then a secret ballot for ten days, and then fifteen days in order that an order may be issued; making a total of two hundred five days. But that is not all. Even after all this the conciliator may, at his own discretion, take the dispute and hand it back to the Labor Relations Board to consider all over again.

Is this labor peace when, two hundred five days, plus any other additional days that can be added at the discretion of the labor conciliator—we find ourselves without ever having solved the original dispute before the management and labor body.

There is no phase in this bill that gives to the labor relationship between employer and employe any positive action regarding the dissolution of any complaints or any insoluble argument before the group.

If this is a labor peace act I would like to know what kind of legislation could be drafted that would cause labor unrest. This to my mind is the greatest piece of fakery that has ever been introduced in the Senate of Pennsylvania, purporting to do one thing and doing exactly the opposite.

Also, on pages 20 and 21, they name a certain temporary arbitration tribunal. What is it? Where does it derive its power? It has no authority whatsoever to make a positive arrangement between employe and employer.

And then, of course, in section 9, page 22, when you get into the question of jurisdictional disputes, Mr. President and members of the Senate, if the sponsor of this bill, the Chamber of Commerce through the medium of Senator Heyburn, has found the solution of jurisdictional disputes, it is the greatest discovery since man learned to walk because since time immemorial, ever since one man has been forced to work for another, the question of jurisdictional dispute has been with us and no amount of legislation—at least not this legislation in its present form—can solve that problem. Jurisdictional disputes have been the cause of every major war since the world began. Jurisdictional disputes will continue in spite of this legislation and the only thing that this legislation

does is to fan the breeze that burns up the tempers of men on both sides of an industrial dispute.

I submit to the members of this Senate that this legislation is ill-advised and uncalled for at this time.

(Briefs Covering Special Order of Business Bills Included in Legislative Journal by Unanimous consent granted Senator Dent)

BRIEF SUBMITTED BY SENATOR JOHN H. DENT COVERING SENATE BILLS No. 423, 280, 361 and 427

This Brief Details the Opposition by the
Pennsylvania Federation of Labor

PROPOSAL EMBODIED IN SENATE BILL 423

Senate Bill 423 is a proposal which prescribes extensive internal controls for labor organizations and restricts normal and legitimate activities essential for the achievement of proper labor objectives by a series of prescriptions, and the imposition of substantial limitations upon the basic freedoms of labor organizations and their members.

This bill requires labor organizations to file annual statements setting forth organizational as well as financial data, and also details concerning its business dealings including the names of firms with which it holds contracts. Failure to file the prescribed statements precludes an organization from receiving a compliance certificate, without which an organization is unable to institute proceedings before the State Labor Relations Board.

The bill provides extensive controls for the internal operations and functioning of unions, limiting initiation fees to \$25; requiring that the by-laws and constitution assure a representative form of government; limiting terms of general officers to one year and grievance committees and trustees to four years; the tabulation of votes under supervision; and regulating trials of persons charged with offenses.

The bill restricts the actions of unions in its dealings with both its members and others by requiring that strike votes be conducted by secret ballot under the supervision of the State Labor Board, and shall include all persons engaged in employment affected by the vote; prohibits black-listing or discharge of members upon demand of an officer except where properly expelled for cause; makes the operation of hiring halls and employment or placement services unlawful; prohibits the issuance of charters to owners of an business, agricultural enterprise, independent contractors, or persons other than employees; it outlaws boycotts, jurisdictional strikes, and strikes against the state or any political subdivision thereof, or strikes to require union membership as a condition of employment.

The bill imposes criminal penalties for its violation, and in addition thereof, authorizes restraining action by the Pennsylvania Labor Relations Board for its enforcement as well as the injunctive power of the courts.

Objections To the Bill

This proposal is a direct invasion upon the fundamental liberties of the working people of this Commonwealth, and offers in the form of a proposed law, a series of unconstitutional restrictions and prohibitions upon the unions and their members, which both ignore and flagrantly defy the fundamental rights of our citizens as guaranteed by the

Constitutions of the Commonwealth of Pennsylvania and the United States.

Filing Statements

The requirement that unions file statements as prescribed by the bill is an illegal restraint upon the right of a union to bargain collectively, conflicts with the National Labor Relations Act, violates the right of privacy of the unions and its members, constitutes an unreasonable burden not warranted by the public interest, abridges the right of free speech, publication and assembly, deprives union members of equal protection of the laws and of their property without due process of law.

Any union failing to file the prescribed statement with the required data, and not holding a compliance certificate from the Secretary of Labor and Industry is thereby disqualified from filing either a petition or charge with the Pennsylvania Labor Relations Board. Thus, any such union could not require an employer, the majority of whose employees it represented by virtue of their designation if it as their bargaining agent, to bargain collectively with it, and it would be precluded from obtaining an order from the Board directing such employer to bargain with it. Moreover, the injunctive power of the courts could be utilized to prevent collective bargaining and the union representatives could be arrested, convicted and jailed for their efforts to achieve such bargaining.

In the case of *American Federation of Labor v. Mickelson*, et. al. (14 LRRM 846; 15 LRRM 751) the South Dakota Circuit Court made it quite clear that such registration acts, to be valid, can not impose such filing as a condition precedent to collective bargaining. Since the primary objective and function of a labor organization is to engage in collective bargaining, it is clear that the proposed bill would, if law, prevent unions from functioning, and, in *American Federation of Labor v. Miller*, the Idaho District Court (15 L.R.R.M. 677) pointed out that such requirement to be valid can not prevent an organization from functioning.

By depriving workers of the full benefits of union representation through the imposition of restrictions of this character, it prevents such workers from exercising full freedom of choice of representative. This was attempted by the state of Florida requiring the licensing of business agents. The matter was reviewed by the United States Supreme Court in *Hill v. Watson*, etc., et. al. 325 U. S. 538 and it was held:

"The declared purpose of the Wagner Act, as shown in its first section, is to encourage collective bargaining, and to protect the "full freedom" of workers in the selection of bargaining representatives of their own choice. Congress attached no conditions whatsoever to their freedom of choice in this respect.

"Section 4 of the Florida act circumscribes the "full freedom" of choice which Congress said employees should possess . . ."

The Court pointed out further that this rule applies whether the statute relates to the business agent or the bargaining representative itself.

The requirement which includes in the information to be filed, data concerning contracts held by the union, and details concerning salaries and all moneys paid, and fails to mention any exclusion of ritualistic subjects, and makes inspection thereof available to present and past members invades the right of privacy of the union and its mem-

bers. The Alabama Supreme Court in *Alabama State Federation of Labor et al. v. McAdory etc. et. al* (14 LRRM 710) made a special point of the fact that information concerning ritual was specifically excluded in the Alabama Act under review, and that the information was not for public consumption but was to inform the Governor only. The significant omission in the proposal is that while it imposes a penalty upon unions for their failure to file, it makes not mention of any liability being incurred by any one who disseminates the information improperly or contrary to their duties, after it is filed.

A similar provision was held unconstitutional by the Texas Court of Civil Appeals in *American Federation of Labor v. Mann*, et. al. (16 LRRM 634) as

" . . . an unwarranted an unreasonable requirement, imposing undue burdens upon unions not demanded by the public interest, particularly as to small unions with limited membership . . ."

The foreclosure of access to the Pennsylvania State Labor Relations Board and the unleashing of the injunctive processes upon workers for the mere failure of the union which they selected as their representative for the purposes of collective bargaining to file a statement setting forth material, the confidential character of which is essential to the preservation of such organization, denies such employees the "equal protection of the law" guaranteed by the 14th Amendment to the United States Constitution.

This proposal denies to members of certain trade unions the rights and protection which is accorded to other persons in the same group or class and is therefore a clear violation of the constitution.

By thus preventing and interfering with the right of such employees to obtain the benefits of collective bargaining, they are also being deprived of property without "due process of law" contrary to the guarantee of the same constitutional amendment.

Control of Internal Affairs

The requirements for the control of the internal affairs of unions also contravene the constitutional limitations imposed upon the Legislature. They impair the obligations of contracts, abridge the privileges and immunities of citizens of the United States, deprive the members of unions of property without due process of law, deny them the equal protection of the law.

The form of government, the terms of officers, the method of election and the amount of initiation fee of unions are fixed by the constitutions and by-laws of the respective organizations. In the case of organizations affiliated with the American Federation of Labor, the fundamental laws of such unions are modeled after and predicated upon the same guarantees for a representative form of government as are found in the Constitution of the United States, and elaborate procedures are established therein to safeguard these rights.

The constitution and by-laws of an organization constitutes a contract between the entire membership as a body and each and every member thereof.

Any requirement imposed by law compelling the change of such contract, either as to the amount of the initiation fee, or the term of any office, is an impairment of such contract contrary to the 14th Amendment to the United

Staes Constitution, and the 17th section of Article I of the Pennsylvania Constitution. These provisions would therefore impair every such contract now in force, and wherever they compelled a change in the by-laws and constitution of any organization, would thereby interfere with the constitutional guaranty of the freedom of contract.

The extent to which the provision deprives members of trade unions of property without due process of law is immediately apparent to every union member. Very few labor unions have substantial treasuries, and even less own property of value. In the instances where initiation fees exceed \$25, the amount is fixed to assure existence and survival. No legislative body, under our present constitutional form of government, has the power to destroy or even abridge these organizations by fixing their initiation fees by fiat; and, the invocation of such limitation upon organizations will certainly result in their destruction.

Restrictions similar to those proposed here on the initiation fee were fixed by the state of Texas, and were thrown out as invalid by the trial court in *A. F. L. v. Mann*, et. al, supra. It is significant that the state did not press their validity on the appeal.

The same reasons apply with equal force to the restrictions upon the term of office imposed by the same bill. The term of a person's office is a valuable property right which is vested in both the office holder and the members of his organization. The members are entitled to the benefit of the administration and direction of their elected agents and officers for the term which they prescribed by their by-laws, and it is beyond the power of the legislature to interfere with this right of the citizens to make their own contracts. Any limitations such as are here proposed, can only serve to weaken the structure established by the democratic action of workers to more effectively achieve their ultimate objective which is effective collective bargaining.

Restriction on Union Activities

The bill proposes, through a series of conditions, precedent and subsequent, to abridge the right of persons to strike or engage in a boycott. These provisions are in direct conflict with the 14th Amendment to the Constitution of the United States and Article I, Sections 1 and 7 of the Constitution of Pennsylvania.

The Legislature can not abridge the right to strike by placing any condition upon its exercise such as the secret ballot vote to be conducted by the Pennsylvania Labor Relations Board, and requiring that a majority of the voters favor such action.

The fundamental character of the right to strike is inherent in one's citizenship and not dependent upon the action of a majority. The Court in *American Federation of Labor et. al. v. Bain*, et. al. 31 Ore. 87; 106 P (2) 544 rejected a similar statutory restriction, and stated:

"In considering constitutional questions, the courts look through forms to the substance of things. It is not important, therefore, whether we call the statute one of prohibition or of regulation. That it prohibits to the minority the exercise of rights conceded to the majority there can be no question. If there are 500 employes in a plant whose employer is paying inadequate wages, either in fact or opinion of 249, the 249 who alone choose to make an issue of the matter

may not, under this statute, exercise what the Supreme Court has held to be their constitutional right of freedom of speech, because the 251 prefer to avoid a dispute with their employer . . ."

"The fundamental constitutional right which the Supreme Court sustained in the cited cases was declared to be secured to 'every person.' We see no escape from the conclusion that the denial of such a right to the members of a minority is no less an unconstitutional abridgement of the right simply because it is saved to the majority."

In *Alabama State Federation of Labor v. McAdory et al.*, supra, the Supreme Court of Alabama rejected a statutory requirement making it unlawful to strike except when authorized by a majority vote, and pointed out that each individual has such right and that it rests upon the minority as well as the majority.

The further limitation of the right to strike by excluding its use where the employment of union members is sought thereby is an improper and unwarranted limitation upon this fundamental constitutional guaranty. The Minnesota Supreme Court in *Glover v. Minneapolis Building Trades Council*, 10 NW (2d) 481, upon authority of the United States Supreme Court in *Senn v. Tile Layer Union*, 301 U. S. 468 stated:

" . . . work is a legitimate subject of economic competition and that employes may use peaceful means in such competition to obtain work and job security."

Our own Supreme Court in the case of *Friedman v. Blumberg*, 342 Pa. 387, 23 A (2d) 412 has affirmed this proposition.

The Supreme Court of the United States in the case of *Thornhill v. Alabama* 310 U. S. 88, has laid down the standards for the protection of the constitutional rights of the working people of this Commonwealth which invalidate every proposal in this bill dealing with or relating to the right to strike. It was there held:

" . . . labor relations are not matters of mere local or private concern. Free discussion concerning the conditions in industry and the causes of labor disputes appear to us indispensable to the effective and intelligent use of the process of popular government to shape the destiny of modern industrial society.

" . . . It does not follow that the state in dealing with the evils arising from industrial disputes may impair the effective exercise of the right to discuss freely industrial relations which are matters of public concern. A contrary conclusion could be used to support abridgment of freedom of speech and of the press concerning almost every matter of importance to society . . ."

" . . . But the group in power at any moment may not impose penal sanctions on peaceful and truthful discussion of matters of public interest merely on a showing that others may thereby be persuaded to take action inconsistent with its interests. Abridgment of the liberty of such discussion can be justified only where the real danger of substantive evils arises under circumstances affording no opportunity to test the merits of ideas by competition for acceptance in the market of public opinion.

" . . . The power and the duty of the state to take adequate steps to preserve the peace and to protect the privacy, the lives, and the property of its residents can not be doubted. But no clear and present danger of destruction of life or property, or invasion of the right of privacy, or breach of the peace can be thought to be inherent in the activities of every person who approaches the premises of an employer and publicizes the facts of a labor dispute involving the latter."

The right of persons who work, to withhold their labor, and if the occasion requires it, to act collectively, is a basic constitutional right, of equal dignity with the right to strike. The guaranty attached to this right is not lessened by the use of the term "boycott" to characterize the activity.

Attempts to restrict this right took place in Kansas, and the Court in *Stapleton et. al. v. Mitchell et. al.* 60 F. Supp. 11 invalidated it, saying:

"The right to peaceably strike or to participate in one, to work or refuse to work, and to choose the terms and conditions under which one will work, like the right to make a speech, are fundamental human liberties which the state may not condition or abridge in the absence of great or immediate danger to the community."

And in *Kingston Trap Rock Co. et. al. v. International Union, etc.*, 129 N. J. Eq. 5 701, it was held:

"It is the fundamental right of the individual workman to refuse his services no matter by whom sought, and it is likewise his right to enter into a combination for the attainment of objects of common concern, and in the pursuit thereof, to withhold the services of its members from those whose trade practices are deemed inimical to the common interest."

The resort to the fiction that these regulations and restrictions are justified under the police powers of the state will not change the result. In *Thomas v. Collins et. al.*, supra, the United States Supreme Court held:

"Such regulations, however, whether aimed at fraud or other abuses, must not trespass upon the domains set apart for free speech and free assembly."

The prohibition against the maintenance and operation of employment placement services and hiring halls by any labor organization is a direct invasion of the rights of each member of any such union to the equal protection of the laws, and is a deprivation of property without due process. It can not be justified under the police power because the essential relationship between the regulation and a proper legislative purpose, *Nebbia v. New York*, 311 U. S. 502; *West Coast Hotel Co. v. Parrish*, 300 U. S. 279, is lacking. It merely is another illustration of the arbitrary and discriminatory character of the bill as a whole.

Proposal Embodied In Senate Bill 280

This bill which is to be known as the "Pennsylvania Industrial Peace Act" provides for comprehensive regulation and control of labor relations. The bill establishes a Division of Conciliation with power to appoint deputies for particular disputes. It also creates a Labor-Management Advisory Committee. The bill divides labor disputes into two classes, ie: (a) those not affecting public interest, and (b) those affecting public interest.

As to disputes not affecting public interest the following procedures are prescribed: Unions or employers desiring to negotiate an agreement or change an existing agreement must give 30 days notice in writing to the other party prior to negotiations and thereafter it shall be their duty to bargain in good faith; strikes or lockouts are prohibited during this period and if at the end thereof there is a controversy either party may notify the Labor Conciliator who shall intervene personally or by special deputy; if the Conciliator finds that a question of representation is involved, he shall certify it to the Labor Re-

lations Board; that it shall be unlawful for any union or employer to conduct a strike or lockout until the expirations of a 30 day notice which notice can be filed only after expiration of 30 days after the Conciliator has taken jurisdiction, and then only after the Conciliator has certified the issue for a secret ballot vote by the Labor Board to be conducted within ten days and then only after 15 days have elapsed from the announcement of the results by the Labor Board.

As to disputes affecting the public interest the following procedures are prescribed: Unions or employers desiring to negotiate an agreement or change an existing agreement must give 30 days notice in writing to the other party prior to negotiations and thereafter it shall be their duty to bargain in good faith. If a controversy still remains they shall notify the Conciliator who shall intervene personally or by special deputy, if the Conciliator finds that the controversy involves a question of representation he shall certify it to the Labor Relations Board; if the controversy is not settled within 30 days after the Conciliator has taken jurisdiction, the Conciliator shall notify the Governor who shall appoint a special commission, which shall hold its first hearing within 10 days after its appointment and file its report with the Governor not later than 15 days after the date of its last hearing; if no agreement or settlement is reached within 10 days after the commission reports either party desiring to institute a strike or lockout must give notice of intention to the Conciliator, no lockout can be instituted for 30 days; no strike can be instituted until 15 days after the Labor Relations Board has acted on the issue, and announced the results, it being the Conciliator's duty to certify the issue to said Board upon receipt of notice of intention to strike and the Board being required to conduct a secret ballot vote in 10 days.

The bill empowers the Conciliator during a strike to resubmit the question of continuing a strike at any time to the Labor Board to have a vote thereon, and when a majority vote to return to work, they shall be permitted to do so if the employer is willing without interference by any person, and such interference is made an unfair labor practice.

The bill permits the settlement of disputes by arbitration when agreed to by the parties, provides for the establishment of rosters of arbiters; and limits the power of arbiters to award retroactive wages prior to the date of filing of a formal claim.

The bill establishes special procedure for jurisdictional disputes, and provides that where a jurisdictional dispute is made ground for picketing, boycott or a strike, the Conciliator shall hear the dispute and shall, where the contending organizations are affiliated with the same federation, determine the controversy in accordance with the proper construction of the charters and agreements of the contending organizations; organizations may submit the controversy to a tribunal within the federation by which they are chartered prior to intervention by the Conciliator, but strike action or boycott is to be discontinued after such submission.

The bill subjects the treasury of labor organizations to levy an attachment to satisfy court judgments resulting from breach of collective bargaining contracts, and provides that unions shall be sued for damages, and liable for same breach of collective bargaining contracts. Neither

union nor employer shall be entitled to maintain any action in any court for damages or injunctive relief in matters involving a labor dispute until the remedies under this act have been exhausted and it is an unfair labor practice for any union or representative to aid or conduct a strike or for an employer to institute a lockout unless the provisions of this act are fully complied with.

Discriminatory Character of the Measure

This proposal, considered as a whole, and aside from its unconstitutional aspects, exposes its purpose to be destructive of trade union growth, and antithetical to the normal and proper objectives of traditional, free, American trade unionism.

Under the guise of the high sounding title of "Industrial Peace," it has loaded every device available to special privilege under the color of legality against workers seeking to improve their wages, welfare and job security through collective action in free unions of their own choosing.

On its face, it compels employees to continue working for long periods of time during continuing breaches of contract, or in the face of any employer's arbitrary defiance to renew a contract on decent and humane terms without any correlative obligation being imposed upon the employer. Of course, the employer is prohibited from locking his employees out, but what employer is going to lock out his employees when he has the assurance of the state that it will keep his workers on the job on his terms?

The bill makes the Labor Conciliator a "czar," with power to make determinations and certifications which preclude the exercise of constitutional rights by the workers, and from which there is no appeal. This same "czar" can, at will, proceed to "break" any strike, at such time as the right to strike may mature, by requiring workers to vote on the "back to work" question, and he can order as many such ballotings held as is found necessary to "break" to strike. Another demonstration of the hypocrisy of the measure appears in the provision which requires that where the majority of the workers have voted on the question of their return, "they shall be permitted to do so if the employer is willing," and making any "interference" with their return and unfair labor practice. Clearly the purpose is to make the continuation of the strike by a minority an unfair labor practice, thus placing the workers under compulsion, and the employer free to act in accordance with any whim or caprice.

The bill, by the very definition of the term "strike" subjects unions to liabilities for acts of persons regardless of their membership in the union, and without any consideration for such facts as to whether the union opposed or even condoned such action.

The bill will destroy collective bargaining. Labor organizations subjected to the procedures prescribed in this proposal will, in order to perfect their ultimate right to strike, be required to plan to strike rather than bargain when the term of any contract is approaching its expiration. The procedural delays inherent in the terms of this measure will render genuine collective bargaining impossible. All of the exaggerated results which attended the notorious Smith-Connolly Law will be multiplied a thousand-fold under this bill. As a specific ex-

ample of the bill's destructive effect upon the institution of collective bargaining is the provision which prevents arbiters from making retroactive wage awards to a date prior to the filing of a complaint. Here is a classic demonstration of the necessity for racing to the government instead of exhausting the processes of collective bargaining.

The measure places a premium upon the formation of company unions, which is an employer device to defeat the free association of workers for the realization of better wages and working conditions. It makes no distinction between bona fide unions and such company dominated and controlled groups, yet it invites situations where such organizations can be created by an employer to challenge a bona fide union, thus precipitating what is defined in the bill as a "jurisdictional dispute." Once such a dispute is found to exist, the Conciliator can make an award, thus setting at naught the right of workers to be represented by unions which are free from their employer's control.

The proposal is not limited to disputes arising out of existing contracts or the renewal of such agreements. An employer can invoke the procedural barriers of the bill at a time when his employees are merely in the process of organizing. The measure thus employed could be used to precipitate questions of representation before they actually existed, with the result that unionization would be prevented before the employees who were directly concerned would have any opportunity to give the subject consideration.

The Proposal Conflicts with the National Labor Relations Act

The bill vests authority in the Conciliator to precipitate the question of representation when he, in his unrestrained and unlimited discretion finds that a question of representation is involved, and to certify the matter to the Pennsylvania Labor Relations Board. This right exists under the bill without limitation as to whether or not the subject matter is within the jurisdiction of the National Labor Relations Board, and without regard to the fact that an outstanding certification issued by that Board may be in full force and effect. Furthermore, the proposal makes no distinctions between bona fide and company dominated unions, thus permitting the latter to receive certifications as the result of the Conciliator's action referring the question to a vote to the Labor Board. Since the Labor Board can not go into the subject of company domination in representation proceedings, the Conciliator's action could foreclose any inquiry into the employer's control when a question was certified by him to the Labor Board under this bill.

This proposal can not be applied without sharp conflict with the National Labor Relations Act. It is therefore invalid under the rule laid down by the United States Supreme Court in *Hill v. Watson, etc., et al.*, 325 U. S. 538 where the Court, in rejecting a Florida statute, said:

"Our holding is that the National Labor Relations Act and Sections 4 and 6 of the Florida Act as here applied can not 'move freely within the orbit of their respective purposes without infringing upon one another.'"

The Bill Infringes Upon the Constitutional Guaranties of Members of Unions

The proposal establishes extensive time-consuming procedures as conditions precedent to the exercise of the right to strike, and makes it an unfair labor practice to aid or conduct a strike unless the procedures are fulfilled. An unfair labor practice, it follows that they can be restrained through court enforcement of any such labor Board order, with an ultimate penalty for contempt upon failure to comply with such court order.

The right to strike which is inherent in the constitutional guaranties of freedom of speech, press and assembly, can not be encroached upon by fetters of extensive procedures extending as proposed in this bill over a minimum period of 115 days. The constitution precludes "abridgment" and the term "abridge" means "to shorten or curtail"—Winston Universal Reference Library. That is exactly what this bill proposes to do, namely, shorten and curtail the right to strike. Thus, the bill does not escape its fatal defect by theoretically permitting the right to strike at some indefinite date in the future.

The proponents of such measures can not help but have lost sight of the fundamental proposition that the bill infringes upon those basic rights of our citizens which are not subject to regulations under the police power of the state. It was stated by the United States Supreme Court in *Thomas v. Collins* et., 323 U. S. 516:

"Where the priority of the rights guaranteed by the First Amendment are involved, the rational connection between the remedy provided and the evil to be curbed, which in other contexts might support legislation against attack on due process grounds, will not suffice."

and further:

"Such regulation, however, whether aimed at fraud or other abuses, must not trespass upon the domain set apart for free speech and free assembly."

The only limitation recognized by the courts for any trespass, encroachment or abridgement of these basic rights is set forth in *Thornhill v. Alabama* 310 U. S. 88.

"... Abridgement of the liberty of such discussion can be justified only where the clear danger of substantive evils arises under circumstances affording no opportunity to test the merits of ideas by competition for acceptance in the market of public opinion."

The court then proceeded to stress that the "danger" referred to must be a "clear and present" danger.

The operation of the proposal is not limited in its scope to the proper boundaries delineated in the *Thornhill* case, and having exceeded the border of constitutional authority, it is invalid.

Proposal Embodied in Senate Bill 361

This bill proposes certain amendments to the Pennsylvania Labor Relations Act by excluding from the term "employees," supervisory and certain confidential employees, by limiting the scope of collective bargaining, by permitting employees to express opinions without liability therefor by making it an unfair labor practice for a union to do any of the following: (a) circulate a blacklist but excluding therefrom exchange of information concerning certain political views of employees; (b) to

bargain collectively with a minority group of employees; (c) to picket the home of an employer; (d) to refuse to bargain collectively in good faith with an employer; (e) to use more than one picket, or to picket more than one entrance when no strike is in progress, or to fail to make deliveries or perform work on premises during the course of said picketing, (f) to interfere with the operation of a vehicle or operator thereof whether or not a strike is in progress; (g) to intimidate or coerce a person to strike against his will by threatened or actual interference with person, family or property; (h) to interfere with free and uninterrupted use of public roads, streets or methods of transportation or conveyance or to wrongfully obstruct ingress to and egress from a place of business; (i) to engage in a secondary boycott or to hinder or prevent by threats, force, coercion the obtaining, use or disposition of materials, equipment or services or combine or conspire to accomplish the same; (j) to call, maintain or conduct a strike or boycott on account of a jurisdictional question in which the Labor Conciliator has intervened as provided by the Pennsylvania Industrial Peace Act; (k) to strike or boycott against employer during effective period of any certification issued by National or State Labor Board to deny the certified representative from acting as such. The bill further makes it an unfair labor practice for an employer or union; (a) to institute a strike or lockout in violation of a valid collective bargaining agreement; (b) to institute a strike or lockout during any negotiation period in violation of the Pennsylvania Industrial Peace Act; (c) to refuse to accept as conclusion the final determination of any body of competent jurisdiction in any controversy as to employment relations.

The bill also extends the power of the Labor Relations Board to hold elections authorized by the Pennsylvania Industrial Peace Act, and requires Board decisions to be based upon substantial evidence and the entire record as submitted.

The Proposal Embodies Improper Exclusions

The exclusion of supervisory, confidential employees from the definition of the term "employee" as used in the act is conducive to litigation and contributes nothing to stability of labor relations, and, in fact, would render the measure invalid. The provisions conflict with the National Labor Relations Act, by the force of the decision of the United States Supreme Court in *Hill v. Watson*, etc., et. al., 325 U. S. 538. On the other hand, no law can compel workers in this category to refrain from acting together to improve their working conditions, nor can any law compel them to work if they, collectively, consider their working conditions intolerable. The exclusion of this class of employee from the labor relations acts by placing them beyond the law is an invitation to insoluble disputes.

The Bill is Designed to Destroy Collective Bargaining

The limitation of the scope of the term "collective bargaining" interferes with, obstructs and will actually prevent free collective bargaining on the subject of wages, hours, and working conditions, which directly affect the rights and the welfare of every worker. The subjects excluded from the term in the proposed bill are couched in terms which present a "color" of fairness, but which,

upon realistic analysis, will utterly destroy such fundamental matters as job security, seniority, and wages. For example: By excluding the subject of the services to be rendered customers by an employer, an employer could establish a subsidiary company or farm out a certain part of his business to a member of his family to offer particular services to his customers to evade his responsibilities to his employes under existing collective bargaining contracts, and the employes would be precluded from even bargaining on the subject of such contract evasion. Job and seniority rights which were long established could be wiped out without any redress. Seniority rights being valuable property rights would be destroyed because, and only because of this measure would deny the holders thereof their due process of the law. The exclusion of the subject of the location of plants and facilities from the scope of "collective bargaining" is defective for the same reason. An employer could engage in the act of "running away" to evade the obligation to bargain or to escape a bargain already made and the employes could not so much as discuss the matter in bargaining conferences. This will result in the loss of businesses to lower wage areas, which means south of the state line, and even the feeble protest of the workers will be interdicted. The exclusion of equipment processes and methods from the scope of bargaining so long as the health and safety requirements as the maximum obtainable, and force employes to work under unsafe and unhealthy conditions where the law makes no adequate provisions therefor. The employer will be permitted to subject employes to unhuman working conditions without their being able to even submit a grievance on the subject. There are a multitude of health and safety subjects which are not as yet covered adequately by the law, a fact well supported by the volume of deaths and disabilities from occupational hazards and diseases. Even if it is contended that health and safety requirements of the law are not met by an employer, the governmental agency having jurisdiction can alone determine such fact, and by excluding the subject from collective bargaining, workers will have to wait until the understaffed government agency can get around to investigate and make its determination. As was so tragically demonstrated at Centralia, Ill., many of the workers will never live to experience the results of government action. The exclusion of financial policies, prices and customer relations from collective bargaining has a direct bearing upon wages particularly in situations relating to commission salesmen. This exclusion would result in placing in the hands of the employer, arbitrary power over job content, and, at the same time, prevent the employe from seeking any correlative adjustment of compensation. The same situation would result from the exclusion of quality standards from the subject of collective bargaining. Both of these exclusions collide headon with well-ordered, long established, and effectively working incentive systems which have emerged through long and successful experiences in collective bargaining. The exclusion of the selection of supervisory or managerial personnel as well as employes generally from the scope of collective bargaining is destructive of sound labor relations and workers' morale. By virtue of this proposal, an abusive or immoral person could be imposed

upon employes without their being permitted to object by bargaining discussions. A person could be required to work with a physically or morally unclean co-worker, and denied the right of negotiating a change of such onerous conditions. The exclusion of "similar questions which is the proper function of a labor union or of management" from the field of collective bargaining is so vague, all-embracing, and so general as to be meaningless on the one hand and totally destructive of the bargaining relationship on the other hand.

The primary defect of the ten subjects excluded from the scope of collective bargaining is their utter destructiveness to the whole relationship contemplated by the term "collective bargaining."

The Measure Restricts the Freedom to Contract

The many exclusions from the scope of the term "collective bargaining" does not alter the fact that within the subjects thus excluded, are matters bearing directly upon the wages, hours, and conditions of employment of the workers. As such, they are the necessary and proper subjects for collective bargaining. To withdraw such subjects from the field of discussion and agreement between employer and employe, is to invade the area of freedom protected by the constitutions of the state and the federal government, and to deprive workers of property without due process of law.

Article I, Section 1 of the Constitution of Pennsylvania makes indefeasible the right of making reasonable contracts about matters not demanding police regulation, *Cuthbert Bros. Co. v. New Kensington Lodge*, 2 West. 185, and no one can contend that any of the specified exclusions demand police regulation in their application between employer and employe. The 14th Amendment to the United States Constitution provides a similar guarantee.

Beyond the effect of the constitution upon these invalid exclusions, there still lies the practical aspects of the problem and their effect upon our social and economic organism. If employes cannot bargain on these subjects relating to their health, welfare, safety and security, it is still their inalienable right to strike, speak and assemble in protest of them. By removing such subjects from the area of discussion through bargaining, the legislature will catapult them into the public's lap by requiring workers to strike to advertise the ills of which they require relief.

The Measure Interferes with the Freedom of a Worker's Inalienable Rights as a Citizen of the Commonwealth and the United States

The permission extended to employers to disseminate information concerning any employe's sympathy with, or membership in organizations acting in opposition to the declared public policies or the Constitutions is a direct infringement upon the civil rights of every worker as a citizen. Such a proposal constitutes political persecution of the most extreme sort. Under it, every professing Democrat could be persecuted by economic pressure during a Republican administration and vice versa. The complete absence of protective standards in the bill would permit every Democrat to be classified as a Communist and every Republican as a Fascist. The framers of this bill seem to forget that a large number of Republicans

opposed our national policies as expressed by the Norris-LaGuardia Act and the Wagner Act, and wasn't that opposition open and overt, and wouldn't such persons under this proposal be subject to the politely styled black-listing as proposed in the bill? This provision is clearly in violation of the Constitution.

This provision is a direct invasion upon the rights of the individual to the protection of his reputation, which our courts have repeatedly held is guaranteed by Article I Section 1 of the Constitution of Pennsylvania.

The Bill Imposes Improper Restrictions on the Right of a Worker to Withhold His Labor and the Right to Picket

The proposal includes a number of limitations upon picketing without any regard to whether the act is peaceful and without a relationship to the presence or absence of a "clear and present danger," as required by the United States Supreme Court. See Thornhill's case 310 U. S. 88. No breach of peace, or clear danger can be implied by the presence or absence of a strike or labor dispute, nor by the presence of more than one picket or the place of picketing.

Thus when the proposal limits the place of picketing, and the number of pickets to one person and one entrance, on the assumption that such limitation can be justified by the absence of a labor dispute, it defies the fundamental basis for the constitutional guaranty. This was attempted in the Bakery and Pastry Drivers case but the restriction was rejected by the United States Supreme Court (See 315 U. S. 769) which upheld the right to picket and engage in boycott activities where no labor dispute existed in the same manner and extent as in a situation where a dispute was found to exist. The court remarked of the state's restriction:

"... a State is not free to define 'labor disputes' so narrowly as to accomplish indirectly what it may not accomplish directly."

Since it has been held in the case of *New Negro Alliance etc. et. al. v. Sanitary Grocery* 303 U. S. 552 that persons and organizations other than trade unions can picket, and thereby tell their story to the public, it is incomprehensible how the limitations which this bill proposes to lay upon the unions and their members can be sustained.

When the proposal goes further and makes it an unfair labor practice to fail to make deliveries or refuse to perform work during the pendency of any such limited picketing as set out in the bill, it not only restricts the right to strike but also imposes involuntary servitude upon the workers. By making such act an unfair labor practice, the necessary correlative which follows is that such act can be restrained through Labor Board proceedings. Such restraint contravenes the Constitution. In the Bakery and Pastry Drivers case, *supra*, one of the acts which was restrained was the refusal to handle goods and make deliveries, and there, although no labor dispute existed, the United States Supreme Court struck down the restrictive order.

The proposal to make the secondary boycott an unfair labor practice when engaged in to obtain the use or disposition of materials, equipment or services is another example of interference with the constitutional guaranty of free speech, equal protection of the laws, and invol-

untary servitude in contravention of the Constitution. This proposal on its face compels a free American to perform services on materials handled or processed by slave labor, or forced labor from our own prisons or an enemy country. It would force persons to work under conditions destructive of their own jobs and their future welfare and security. It denies the right of free labor to enter into competition with controlled labor. It is in complete defiance of a free American worker's fundamental rights. It fails to define "secondary boycott," a term for which no uniform definition exists, but seeks to endow it with some odious connotation by placing it beside such words as "threats", "intimidation," "force", "coercion" and "sabotage." There is, however, no relationship in meaning between these terms, which merely contributes to the conclusion that the proposal is defective because of its vague and misleading terminology.

The prohibition against combining and conspiring to obtain the same result is equally deficient. What persons may do individually, they may do concertedly. By labeling the concert of action a "conspiracy" does not, in fact, make an illegal conspiracy or combination. *General Bottle Co. Inc. v. Oneta*, 12 N. Y. S. (2d) 348.

Proposal Embodied In Senate Bill 427

Senate Bill 427 by amendment to Section 5 of the Pennsylvania Labor Anti-Injunction Act of June 2, 1937 P. L. 1198 proposes to declare union or closed-shop agreements contrary to public policy, unenforceable in any court in this Commonwealth and beyond the pale of any legal or equitable relief in the event of any breach of disregard thereof.

The Measure Is Unconstitutional

This measure proposes a direct conflict between the Constitution of the United States, and the injunctive powers of this Commonwealth. Workers may, regardless of this measure, refuse to work with non-union workers, may picket an employer who insists upon employing non-union workers, and may refuse to deliver to or handle the products of non-union workers. These rights are within the safeguard of the constitutional protection as stated by the United States Supreme Court in Thornhill's case, *supra*, Bakery and Pastry Drivers case, *supra*, the Senn case, *supra*, and *American Federation of Labor v. Swing et. al* 312 U. S. 321. To grant to the courts an injunctive power over a subject which is constitutionally valid and protected, is to attempt to do indirectly, that which this Legislature is without power to do directly. The indirect approach is afflicted with the same infirmity as the direct attack.

Union security agreements, ie., both closed and union shop, constitute the only effective means possessed by working people in their labor organization through which they can attain and preserve economic security, deter practices contrary to public policy and the interests of wage earners and effectuate genuine collective bargaining. As such, therefore, these agreements, when achieved, constitute a very valuable property right of the workers, which this proposal will destroy without due process of law. The measure clearly violates the 14th Amendment of the United States Constitution.

The measure also interferes with the freedom to contract protected by the same constitutional amendment as

well as Article I of the Constitution of this Commonwealth.

Freedom in the making of contracts of employment is an elementary right of personal liberty and private property, protected from arbitrary interference consistent with the due process of law which is guaranteed by the 14th Amendment. *Prudential Insurance Co. v. Cheek*, 259 U. S. 530.

It also impairs the obligation of contracts which is in violation of Section 17 of Article I of the Pennsylvania Constitution for it has been held by our Supreme Court that if the law be so changed that the means of legally enforcing a contractual duty is materially impaired, the obligation of the contract no longer remains the same. *Bunn v. Gorgas* 41 Pa. 441; *Penrose v. Erie Canal Co.* 56 Pa. 46.

Respectfully submitted

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RE-SUBMITTED BY SENATOR JOHN H. DENT

This Brief Covers the Opposition of the
Pennsylvania Industrial Union Council on Senate Bills
No. 280, 361, 426 and 427.

April 18th, 1947

Memorandum On Pending Pennsylvania Anti-Labor Bills
(Nos. 280 - 361 - 426 and 427)

Taken as a group these bills set forth a program of action which is objectionable not merely because it is one-sided; inequitable and biased against working men and labor organizations, but also because it represents an irresponsible meddling with and wrecking of collective bargaining patterns established over years of experience. The bills are thus calculated to provoke industrial chaos. They can be the product of the draftsmanship only of the individuals who either have no knowledge of the collective bargaining process or do not care whether they permit it to work soundly or not.

In this memorandum we shall give first a very broad outline of the general subject matters of the various bills and then give some consideration of each of the subjects covered.

I

The Subject Matters of the Bills

(A) No. 280 (Mr. Heyburn)—establishes a set of complex and interminable procedures surrounding the conduct of collective bargaining relations with severe restrictions on the union's bargaining power.

(B) No. 361 (Mr. Heyburn)—substantially rewrites the State Labor Relations Act so as to deny peaceful representation machinery for supervisors, limit the free collective bargaining process, encourage employers' blacklists, restrict peaceful picket and strike activities, convert the Labor Relations Board into a police court.

(C) No. 426 (Mr. Berger); and No. 427 (Mr. Berger)—deal with various aspects of the legality of union security clauses.

II

Analysis and Comment

(A) No. 280—this bill in its major provisions deals with two different kinds of labor disputes: Those which do not effect the public interest (Section 7) and those which do effect the public interest (Section 8). With respect to both its major impact and purpose is to impose a series of complicated restrictions on the collective bargaining process which have the effect both of making collective bargaining almost impossible and at the same time so weakening the labor union in its collective bargaining position that the employer is in position to dictate the terms of the contract.

The bill pretends to operate against both the employer and the labor organization—but this pretense is a complete fraud. It pretends to affect the employer by prohibiting a "lockout" unless the terms of the bill are complied with. A "lockout" is defined (Section 2 (8)) as the "refusal of the employer to furnish work to employees as the result of a labor dispute."

It should be perfectly obvious that very few employers ever need to or attempt to resort to that kind of action. The employer is the one who is able to determine how much money will be put into the pay envelopes each pay-day. If there is a labor dispute over an employer's wage cut or over a union demand for higher wages, the employer never has to nor does he deny any work at all to the workers. He is perfectly willing and anxious to permit the workers to work at the lower rate of pay.

Thus the bill limits the employer in no real way at all, while at the same time it limits the union in the only ultimate strength that the union has, namely, the power to withhold the services of the workers.

What does the bill do to the workers' right to strike?

In an industry "affected with the public interest" (which can mean almost any major or basic industry) the workers are required to withhold any action, regardless of how clearly unreasonable and provocative the employer's attitude may be, until there have been 30 days of negotiation with the employer, 30 days of action by the labor Conciliator, an indefinite period for hearings by specially appointed "commission" (such hearings have lasted for periods of over a year under the Railway Labor Act), 15 days for a report by the "commission," 10 days for further discussion, and at least 30 days thereafter. Thus, the entire process is to be stalled for a minimum of approximately four months, not counting the duration of any hearings before the "commission." If these delays and complications have succeeded sufficiently in demoralizing the workers, then a strike can be made completely illegal, since the labor board must then hold a vote to find out whether a majority of all the employees in the unit favor a strike. It should be noted that this is not even a majority of the employees voting, as is the rule in all public elections and in labor board elections. Those who do not vote or are not able for any reason to get to the ballot place are counted in effect as votes against the strike.

Even if the employees should be able to hurdle all these obstacles, keep their morale alive during all of these delays, secure a favorable vote, then they will run the risk of having their strike become illegal. The labor conciliator is given the power under Section 9 to jump into the

situation whenever he may think that the morale of the strikers may have cracked temporarily. At such a time he can call for a new vote (the bill says "at any time") and if at that instant the strike fails to secure a majority of all the employees in the unit, the strike may be broken.

At no point is there any suggestion for a vote among the stockholders of the corporation; at no point is there any recognition that the workers have designated a representative to act as their spokesman and that the insistence on repeated ballots mean a destruction of the principle of collective bargaining through a single representative. At no point is there any compulsion on the employer. He may accept or reject, for example, the findings of the commission. Thus, if the employees vote against striking after the commission issues its report, their strike is illegal, while the employer may sit back and reject the commission's report and pay the workers only whatever wage he chooses.

The provisions of the bill with respect to disputes not affecting the public interest are only slightly less complicated, since all they do is omit the provision for hearings and findings by a commission.

All of this should demonstrate fairly conclusively the bias and one-sidedness of the proposal. It should demonstrate also the extent to which its real effect is simply to make it impossible for a union ever to be able to engage in effective strike action.

But it is perfectly clear also that these provisions will simply make collective bargaining as such impossible. Once an employer knows that a union can not engage in any strike against him for a period of at least four months or more, what possible incentive is there for the employer to engage in any serious collective bargaining? The employer is encouraged and licensed simply to reject all union proposals, knowing that he is safe for a long period of time, and in addition, realizing that he may be able to confuse the issue sufficiently so as to beat the union in the strike vote. He will always be in a position to start his collective bargaining for the first time, if by any chance a successful strike vote is taken. Even at that time he will be encouraged to continue his gamble in an effort to create a situation in which the labor conciliator can come in and take a new vote to break the strike.

Thus basically the bill is one whose purpose and effect will be to encourage employers to sit back and engage in sham collective bargaining and makes no real effort to reach any settlement.

The irresponsible interference under this bill with sound collective bargaining is evidenced also by the provisions of section 14. The implications of this section is that whenever the union has a grievance against an employer, claiming that the seniority clause has been disregarded or violated, a specific wage rate is out of line, etc., it should rush into court. By the same token the implication of the section is that employers should bring court suits on every claim of contract violation. This would mean that the state courts would be put in the business of administering labor contracts. Most labor agreements give rise to hundreds of problems of interpretation and hundreds of grievance situations during the course of the year. These must be settled quickly and without red tape. Only arbitration machinery under the contract as worked out by the parties has ever been found

feasible or practical. Any law which attempts to throw this whole set of problems into the courts is simply an invitation to snarl up the whole collective bargaining operation.

(B) No. 361: This bill substantially rewrites many sections of the Pennsylvania Labor Relations Act. That Act has already been sadly emasculated in prior years so as to change it from its original intent into a law having many anti-labor features. This bill would do that job still further in many ways. The following are some of the most important provisions of this bill:

1. Supervisory Employees: Section 1 of the proposed bill, in the language appearing at the top of page 5, would exclude supervisory employees and certain other clerical employees from the status of employees, under the Act. This means that while such workers continue to have their basic right to join a union and to seek collective bargaining, they will be denied the peaceful machinery of the Act to bring about collective bargaining. The only way that they will be able to secure collective bargaining will be by strike action. In other words, the proposed change seeks to promote strikes by denying to these workers the peaceful machinery of an election by a state agency and a legal requirement of collective bargaining.

2. Restrictions on Collective Bargaining: Section 2 of the proposed bill (starting at the bottom of page 5) narrows the concept of "collective bargaining" by inserting a definition of the term into the law which makes it practically meaningless. If this section is adopted, then the state of Pennsylvania would have in the law from prior years a requirement that employers bargain collectively. But this amendment would define collective bargaining so that there was very little meaning in the term.

The proposed definition of collective bargaining is not a definition at all but rather a list of things that are not to be regarded as included in collective bargaining. A few examples of these exclusions give the general picture.

Collective Bargaining Under this Definition Would not Include:

a. Discussion of speed up of workers (since the bill would exclude any bargaining on layout, equipment, processes, techniques, methods, etc.—item (3)).

b. Any provision for preferential hiring, closed shop, etc. (since item (7) excludes any discussion of policies effecting selection of employees.

c. Discussion of relative wage rates, penalties or discharges for improper workmanship, incentive payments based on quality standards (since item (8) forbids any discussion with respect to the establishment of quality standards and judgment of workmanship).

d. Discussion of disciplinary rules, schedules of individual workers, distribution of work among workers (all forbidden by item (9)).

In fact, the exclusions listed above, leave very little for actual collective bargaining. But to make sure that nothing was left for collective bargaining, there is a catch-all phrase at the end which excludes from collective bargaining "any other similar question" which is the proper function of management. It will be remem-

bered that there are very few issues, including wages, working conditions, job assignments, promotions and everything else in union contracts as to which management does not make or has not made the claim that these are functions of management. This item can have the effect of leaving nothing for collective bargaining.

3. Revival of Blacklist: Section 3 of the proposed bill, among many other changes, openly provides for a revival of the blacklist in the state of Pennsylvania. In the language appearing after "(g)" at the top of page 9, the bill pretends to be prohibiting blacklists but specifically legalizes and places its approval on the distribution of blacklists by employers with respect to the known sympathy with, or guilty of or membership in any organization acting in opposition to the declared public policies or constitution of the Commonwealth of Pennsylvania or the U. S. A. It will be remembered that the Government of the United States has several times claimed that the United Mine Workers of America have acted in opposition to the declared public policy of government. Whenever charges of illegal picketing are brought against a particular union, the government is necessarily claiming that the union is acting contrary to the declared public policy of the government. As a matter of fact, the companion bill introduced by Mr. Heyburn (SB-280) declares in Section 7 that the public policy of Pennsylvania is to be that there should be no strikes. If both these bills were passed, then under the bill which we are now discussing, any union which at any time calls a strike, is an organization acting "in opposition to the declared public policy" of the state of Pennsylvania. This section, therefore, would legalize the blacklist for such a union.

4. Restrictions of Peaceful Picketing: On page 10, under the heading "(c)", on page 11, under the heading "(e)", on page 12—under the heading "(j)" and under the heading "(k)", the bill proposes in varying instances to make it unlawful to engage even in peaceful picketing.

It should be remembered that peaceful picketing involves simply walking on the street carrying a sign. The Supreme Court of the United States has stated that individual citizens have the right to exercise free speech in this manner and that such action is constitutionally protected. This bill in these various sections would prohibit such picketing even if the acts of the pickets were entirely quiet, orderly, peaceful, and even if the pickets stated the facts in issue truthfully and accurately. Such a law is unconstitutional.

5. Miscellaneous: There are a number of sections of this bill which proceed on the assumption that Senate Bill No. 280 has already been passed. Thus on page 12—under the heading "(j)", on page 13—under the heading "(b)", on page 16 and 17—under the heading "(e)", "(f)", and "(g)", reference is made to the Pennsylvania Industrial Peace Act. There is no such law presently on the books of the State and this apparently has reference to Senate Bill 280. Analysis of these sections, therefore, depends on an understanding of Senate Bill 280.

(C) Bills affecting union security—The principle of union security is well established in American labor relations. More than two-thirds of the American workers

under labor contracts are covered by some form of union security (either the closed shop, the union shop, maintenance of membership, etc). The principle has thus widely been recognized that when a majority of the workers in a unit have selected a representative, and when that representative bargains as it must for the interests of all the workers, it is proper and appropriate to agree that all workers should participate in the functioning of the common representative and should contribute to its operation. This is the principle of the closed shop and also of the union shop. The maintenance of membership, on the other hand, does not even compel all workers to join, but simply declares that when they do voluntarily join they agree to remain committed for the duration of the contract.

Employers have found these principle important and valuable as a means of preserving stability during the contract term, preventing inter-union conflicts, enabling the union to have disciplinary powers so as to strengthen obedience to the contract and many other similar values.

It should be remembered also that the issue is not whether there should be a law requiring such contracts, but only whether the parties should be free in the American tradition to make such a contract if they so desire.

Bill No. 426 completely outlaws any contract calling for any form of union security. It makes it an unfair labor practice for employers or unions to enter into such a contract. In this respect it sets aside the American tradition of free collective bargaining and free contract. It attempts to override and destroy the experience which has produced union security in contracts. It opens the door and invites employer efforts to destroy unions even during the contract period.

Bill No. 427, in a somewhat confused way, attempts to do the same thing. It amends the state anti-injunction act. That law now outlaws yellow-dog contracts under which employers compel individual workers in individual contracts to give up their right to join a union. The bill would add a provision making a contract between an employer and employe unenforceable if the employe promises thereby to join a union or to remain a member of one. Usually, of course a union security contract is made between an employer and a union designated as the collective representative of the employes, rather than between the employer and each individual employe. The exact effect of the proposed bill is thus unclear, but its intent would seem to be to do away with union security.

Mr. KEPHART. Mr. President, I desire to interrogate the gentleman from Westmoreland.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. KEPHART. Senator Dent, I am informed that the initiation fee charged by the United Mine Workers is \$10; could you tell me whether that is correct or not?

Mr. DENT. That is exactly right, Mr. President.

Mr. KEPHART. And, therefore, they would not be harmed at all by my bill, which puts a limit of \$25 on an initiation fee, would they?

Mr. DENT. Not as such.

Mr. KEPHART. Mr. President, I would like to ex-

plain this bill, which I sponsored, Senate Bill 230. I think that everybody knows that since the advent of the labor union movement there have been some abuses which have crept in—I think even labor leaders, many of them, will admit that some abuses have crept in which should be cured.

Senate Bill 230 does not attempt to cure all the evils, it just attempts to cure one of them, and it does not attempt to cure evils that are spreading throughout the labor organizations; only some labor organizations have evils in them which should be cured.

An illustration was one I just pointed out to the gentleman from Westmoreland, Senator Dent, on this point of the initiation fee of the United Mine Workers. Their initiation fee is only \$10 and therefore there is no abuse by the United Mine Workers on that feature, but, Mr. President, there are unions which charge much more than \$25, and in so doing keep people who want to work from getting a job because they can not afford the high initiation fee which the union places upon membership.

Senator Dent asked how they raise the money to pay certain of their expenses, and my answer to that is not through initiation fees but through the regular dues that each one will have to pay as long as they are members, and that is the fair way of doing it. That is my answer to him to the question he put to me when he was speaking.

Now then, Mr. President, the people that raised the question that prompted me to introduce this bill were those veterans who came back from fighting for this country and attempted to get jobs and were told by their proposed employer that he would like to employ them but that they would have to join a union. They then went around to the union and asked to be admitted to membership but were turned down, or kept out for some reason that the union would put out, either a high initiation fee or failure to meet something that they insisted upon which was unreasonable, so here is an employer who wanted a man to work for him, a man who is qualified to do the work, but being unable to do so because he could not get admittance into membership in the union.

Mr. President, the same thing is true with respect to the boys who go through our vocational training schools and attempt to get a job; they run into exactly the same thing. Here we spend millions of dollars to train these boys and then they are thrown out upon the world, trained to do a certain thing but unable to get jobs because they can not get membership in the union.

I do not think it is unreasonable to pass this bill and I would like to have it read, so I want to read part of it so that the public can understand just what it does.

This bill does not prohibit a closed shop. It merely says that if a union has a closed shop it must have a reasonably open membership, and it says it must not deny membership to an applicant providing the applicant for membership is acting in good faith and willing and qualified by experience or training to engage in the trade, craft, business or industry in which such closed shop agreement exists, and is ready and willing to comply with reasonable regulations uniformly required as a condition of acquiring or retaining membership. What is arbitrary about that? A union still has the right under this bill to set up reasonable and uniform regulations as

to their membership and the applicant for membership must abide by those regulations.

One thing they can not do, however, is to impose an initiation fee of more than \$25, and I think that \$25 figure is certainly reasonable enough. I think the majority of unions in Pennsylvania do not charge more than \$25 and they will not be hurt. I think if a union wishes to charge more than \$25 and include in that amount the price for some other benefit, that that would be allowable; that is not part of the initiation fee—if it is death insurance or something like that, that is another matter entirely. What this bill deals with is solely the right to join a union.

The gentleman from Westmoreland also discussed the question of apprenticeship and he said that for twelve hundred years, I believe it was, they had this thing worked out and there has been no trouble with it. I disagree with him on that. I think there have been too few apprentices in certain lines, and that is the reason we are up against the situation in certain fields as, for instance, we are not getting building done because people have not been trained to come up to be qualified to fill the positions of older men. In lines 14 and 15, page 8 of this bill, it is provided that they can impose experience qualifications as a condition of membership. The only thing they can not do with apprenticeships is to monopolize the field of trade or employment by denying membership.

Certainly in this country, if we are going to keep this country and keep it the way it has been in years past as a great nation, then there must be a chance for these young people to get a job and make a living and take care of their families and loved ones, and they must have an equal chance to get a job along with everybody else. This bill only attempts to provide an equal chance for them, not for those people who are strong enough to be in an organization and have a job, but for those poor working men who can not get in the union, and they should have the right to that equal chance and that equal opportunity. Every workman who wants to work ought to have an equal chance to do so.

MR. DENT. Mr. President, I will try to give categorical answers to the statements made by the gentleman from Philadelphia, Senator Kephart.

The first question he raised was that of initiation fees of the United Mine Workers, which is \$10. In the main initiation fees of most of the C.I.O. unions are from two to three dollars. However, that does not alter the principle involved in passage of this bill, which will legislatively set a specific sum. If \$25 is reasonable, would not \$10 be more reasonable; would not fifty cents be more reasonable? Setting any figure violates the fundamental principle that I am concerned about. Any union that charges more than \$10 for its initiation fee—and many of them charge less, Mr. President—use these initiation fees as an accumulated fund that is entered into their books in line with their welfare fund, creating for their membership enduring benefits.

In so far as the closed shop item which the gentleman from Philadelphia discussed, he said that it was a closed shop, a little bit open. Mr. President, you just do not have a closed shop that is a little bit open. If it is a little bit open it is an open closed shop and that is exactly what we are against. If it is a closed shop it is a closed shop and incidentally, for the information of the Senate, I believe

this definition of a closed shop given before the Senate Committee on Labor in the Federal Congress is one which ought to be read by every member of this Senate, and I quote: "Fundamentally a closed shop is nothing more or less than a policy adopted by one group of employes who, having formed themselves into a union, refuse to work with any other employe or group of employes who refuse to join and remain members of that union." I suggest, Mr. President, that is the underlying principle behind the Bar Association, behind the Medical Association, behind any other group in the United States of America that tries to keep from its ranks undesirable persons who may come in and destroy benefits that they have fought so valiantly for and gained for themselves as an organization.

Mr. President, when the gentleman from Philadelphia discusses the barring from union ranks of individuals because they do not belong to a union, I can only say that is because they do not meet the qualifications set up by the union. I might say the closed shop in Pennsylvania that has the most restrictive features is the Pennsylvania Bar Association. I can give to the Senate a specific case of a boy that graduated from the University of Pennsylvania Law School, served his country in the ranks and came out a captain in the United States Army and who to this day has yet to be admitted to the Bar because the Bar Association locally said he was not a fit type of individual to belong to that Bar Association group, because it was reported that his father was at one time a boot-legger. There is nothing in any labor restriction that denies membership to any individual because of what his father was or was supposed to be.

Mr. President, this bill reaches further than even the sponsor realizes, because, if we can do this to any segment of our society, there is not anything to stop another group of Senators from doing it to every segment of society represented by the individual who sponsors this bill, against the labor group, because it is conceivable that some day politically-minded men and women will get tired of taking the promises and the apologies of the group that he represents and again place into control of this State Senate men and women who have in their hearts a feeling for the ordinary people, not the least of whom are the men who work for a living in the plants, in the mines, in the shops and mills of this state and so, Mr. President, in a spirit of revenge that group, emulating the present group in control today, might very well pass for you the kind of legislation that you pass for them.

You say there are specific abuses. I say there are specific abuses in your field of endeavor but I do not condemn the whole field, I do not condemn all the members of the Bar Association—I think as a whole their rules are necessary, their regulations are necessary and, if properly administered, they do benefit the whole community and that is all I ask, is the same consideration for men who earn their living by a different method than that employed by you or any of your friends who are in the professional ranks. All we ask is that we be allowed to go along, doing the very things that we think are right, so that our children may have a better place in which to work and in which to live and I say, when the gentleman from Philadelphia gets up and says that this bill will return us to the yesterdays of America, he is all wrong, because nothing that we do can turn the clock

backward; progress is the keynote, and we will progress in spite of this legislation. If he wants to go back to the hungry days that we were led into in 1929 and the subsequent years by the very type of thinking that is behind this legislation, Mr. President, I for one will not follow him down that track, because that track leads to the dungeons of despair when men and women lose the will to live, and so I say to the members of this Senate of Pennsylvania that no amount of camouflage can take away from this particular group of bills the bad feeling that must come if they are passed.

Mr. KEPHART. Mr. President, I certainly do not condone the abuses the gentleman from Westmoreland has criticized the Bar Association for, and I would be perfectly willing to vote for any bill that would eliminate those abuses in our field—and they do exist, I am willing to admit—but there is no reason why that should not be taken care of and eliminated in the field where we have that proposition before us now, and they should be eliminated in both fields, where there are abuses, and so I would go along with him on that proposition.

As far as turning back the clock is concerned, Mr. President, the gentleman from Westmoreland knows perfectly well I do not want to turn back the clock to the period he referred to, but I am afraid if something is not done we are apt to descend back into that period unless steps are taken, because if there are going to be people who can not get jobs any place because of this situation, somebody must take care of them. I say give them a chance to work, and that is all I am trying to do with this bill.

Mr. DENT. Mr. President, I do not intend to take much more time, except to say to the gentleman from Philadelphia that if there is a job available, no restriction of any organization will keep a man from taking that job. It is only when a man wants to take a job that another man holds that this type of legislation comes about.

Mr. HOLLAND. Mr. President, I think, before we go any further in debating these labor bills, let us refrain from wrapping the flag around them and saying that these are veterans' bills. I think it comes in very poor taste, just political propaganda, to start off as the gentleman from Philadelphia did, stating that this is for the returned soldiers. For his information there are hundreds of thousands of union members who fought as soldiers and have come back just as good union members as when they went away. I feel that that is one thing we should keep out of this argument today, because it means too much flag waving and a lot of crocodile tears, shed, especially for the returned veteran, and nothing is done for them in this Senate in the closing hours which has proven our sincerity to the returned veterans, when we have the power here in Pennsylvania to do something for them and we have not done it. So let us first argue the bills on what you are trying to do to labor.

First, I was very much interested and I had many discussions with Senator Kephart about the closed shop. The union I belong to has union shops, not closed shops. I went to the trouble in the last three weeks of getting in contact in Western Pennsylvania with all the contractors and some of the high-skilled industries which had closed shops, and have asked them what their opinion was. Here is the opinion I received: every contractor of any large proportion in Allegheny county said they

are for the closed shop. In working on that type of contract they may, during the life of the contract, hire as high as fourteen hundred or sixteen hundred people, but at no one time on that job any more than two or three hundred people are hired at any one particular day or particular week—they may need a bulldozer today and a steam shovel tomorrow; they may need a carpenter today and a bricklayer tomorrow, or vice versa. In the old days they had to deal with a lot of employment offices and I think anyone who has ever visited in a large city will remember lines and lines of employment offices, with the big signs of so many carpenters needed today, so many bricklayers needed today, to go to such and such a job but today, due to the collaboration of the current unions and the closed shop, all that is necessary for them to do is to call the union and the union, by their contract, is responsible to furnish those men at a certain time on that job, and they do not want to go back to the open shop.

As far as apprentices are concerned, certainly there is a scarcity of apprentices, because during the war the young men were in the army, at least all those who were able-bodied and who were very patriotic went into the army, with the result there were not very many apprentices.

First of all, apprentices were not paid very high wages, not through any fault of the union because that was the fault of the men who employed them on the job, and the result today is they do not have as many apprentices as they had in that day and as they would have today if we had not had a war.

Talking about abuses, I do not know anyone who abuses more than attorneys do, but I want to add my two cents to it. It has been abused so bad that the Governor in New Jersey had to take to task the General Assembly of New Jersey because it was found in the General Assembly of New Jersey that practically every lawyer was on a hidden payroll of some large industry or corporation, and even in this session the Committee on Judiciary General refused to consider a bill in which all of us would be compelled to give an account of whom we represented and whom we were being paid by. So I believe it comes with very bad grace for a lawyer, who is a member of a closed shop and who is very careful to see that no one gets on the inside of his racket, to introduce a bill of this type.

I do want to ask the gentleman from Philadelphia or anyone else discussing this bill today not to go back to flag waving about this bill. I believe there is only one man in this Senate who has the privilege of flag waving—Mr. Donlan—he suffered for his country. Some of us have served our country in World War I and World War II. But I do not think that it is honorable to use the returned veteran to pass any labor legislation that in 1919—remember this, remember the returned veteran of World War I who went on a bonus march to Washington because, after all, the veteran or soldier of yesterday is the civilian of today and he too must work in industry and he too must secure a decent wage, and anyone knows that after World War I every soldier returning back worked at starvation wages and scab wages because the party in power at that time, through the same propaganda, destroyed the labor movement in America. It is a repetition that goes back to the Haymarket Massacre; the same thing said by the gentleman from Philadelphia was

said at the time of the Haymarket Massacre in Chicago; the same thing was said in 1892 during the Homestead strikes.

At all times there seems to be a few people that are worrying about the public being hurt and I believe we all know who the public is, as spoken by these bills—they are the Pennsylvania Manufacturers Association—and it comes in very bad grace because the Pennsylvania Manufacturers Association fought the LaGuardia Act in 1932, they fought the Wagner Act in 1935, and they have fought every social movement that was ever made in America, and they are the people who now come and say they are the friends of labor. There is an old saying, "Beware of Greeks who come bearing gifts"

Mr. HALUSKA. Mr. President, I shall not take up too much time of the Senate because I realize many more members want to be heard in order to express their views on this legislation.

However, I want to point out to the gentleman from Philadelphia, Mr. Kephart, that when he speaks about labor unions, the United Mine Workers gave every G. I. a fully paid-up membership when he returned from service. They fought for the right, they went out and had to place them back in their positions, the jobs they left when they entered the service, and they have done an excellent job, and that is true of other labor unions.

If I were politically inspired, if I hoped to make my living in the field of politics in the days to come, I would sit back quietly, cross my fingers and hope that these bills pass and that every Republican votes for them and every Democrat votes against them. That is what I would do if I had any ambition in politics. I know of no better way of winning votes than to take these labor bills and bring them down and cover the Commonwealth with pamphlets to show the people what is being done in this day and age in the Senate of Pennsylvania.

But I want to make one point, that I have sat in my chair and listened to what has taken place; I have heard so much in the year 1946—over radios, on street corners, in auditoriums, about Communism, every time that I turn my radio on I hear of Communism infiltrating the Democratic ranks, in school houses, even in my church, much to my surprise, my own priest talking about Communism. The job was well done by those who inspired it, and I say to you, Mr. President, if we look back to Italy, Germany, Russia and Japan and find what has happened, dictation, dictatorial powers, shackling labor, which brought about poverty and Communism only appears in a time of poverty, it never appears when a country is prospering—no man can show me where Communism ever appeared in a prosperous country, and today you are about to shackle labor.

I say to you, Mr. President and gentlemen of the Senate, whether you have any pains or not, you are about to give birth to the greatest and biggest Communist movement ever known in any state in this Union; that is what you are going to do today if you pass these bills, and never again will you be in a position to go out and say the Democratic party is composed of Communists because you take that label, you take that with you, because you are bound to bring about poverty, and when you bring about poverty you bring about Communism.

Mr. HEYBURN. Mr. President, that a bad situation

requiring a lot of thought is before the American people, the people of the Commonwealth of Pennsylvania, and in this General Assembly, I do not think can be questioned by anybody.

I hold in my hand, Mr. President, a copy of a newspaper of last week, which has a picture on its front page that started me to thinking; it is a picture of two boys, Mr. President, digging their mother's grave because the cemetery was strike-bound by grave diggers. This, Mr. President, appeared in several papers, including the Philadelphia Evening Bulletin.

Also, Mr. President, reading from the column of Drew Pearson of May 29 "The War Department, which has been handling with painstaking care the unhappy work of returning bodies of G. I. heroes from overseas, has run up against sneak strikes in the casket-making industry, which will probably make it impossible to bring the bodies home on schedule."

Mr. President, I do not cite those two unhappy things to cast any reflection on labor. I think the reflection, Mr. President, is on us as legislators—we have not had the courage to come to grips with this all-important problem—and it seems to me that this sort of thing, Mr. President, is the responsibility of those who have been elected to properly represent the American people.

One of the saddest things of our time, Mr. President, I think, is to hear certain labor leaders—not many, but certain ones—and certain legislators, talking about these bills as being anti-labor bills. To me that is rather foolish. I think it constitutes one of the tragedies of the century, Mr. President, when Americans can not sit down and get together on a set of rules to govern collective bargaining in this country. Collecting bargaining, I think, Mr. President, everybody agrees is an established fact, it is here, and it is here to stay and I am glad it is. There is no sense, Mr. President, of having continued industrial strife to prove the theory of collective bargaining; what we have to do as legislators, Mr. President, is to furnish the machinery to make it work.

Unfortunately, Mr. President, a great many of my good friends on the other side, when talking about these bills, in many cases they talk about anti-labor bills, which I submit, Mr. President, is the wrong approach. Someone on the other side—I think my good friend Johnny Dent—made reference to a bill outlawing unemployment compensation benefits while on strike, but he failed to tell the Senators, Mr. President and guests, that we are one of three states that now pay unemployment compensation benefits while on strike. The other two, Mr. President, have much longer waiting periods than we do before becoming eligible to those benefits.

The gentleman from Westmoreland neglected to tell you, Mr. President, that the G. I. Bill of Rights passed by his party and signed by a President of his party, in Washington, denies benefits while on strike to returning veterans and one of the unhappiest things I have seen, Mr. President, in a long time—and I repeat, in a long time—is to see a returned veteran who, in many cases, has poured his blood on foreign soil, strike because, in many cases, he could not help it. That fellow, Mr. President, can not get any unemployment compensation benefits while on strike, whereas his fellow-worker who did not serve in the service, Mr. President, does. If that is

not a very unhappy and silly and unfair situation, I would like somebody to describe one to me that is.

Mr. President, one of the speakers on the other side referred to Senate Bill 280. That is one of the bills that I introduced and I do not say, Mr. President, that I did not meet with representatives of employers, because I did; and I also met with representatives of organized labor. This problem can never be solved, Mr. President, by calling a bill a chamber of commerce bill or a labor union bill or anything of the sort. I met with them both.

And Mr. President, the gentleman from Westmoreland said that this bill now does not set out to do that which it was originally intended to do and I am very sorry, Mr. President, but in my opinion the gentleman from Westmoreland—perhaps because he has been too busy—is not familiar with the bill. The bill has two sections, one dealing with strikes affecting the public interest—industrial disputes if you choose to so term it—and those affecting other industries in the Commonwealth of Pennsylvania.

Mr. President, as the gentleman well knows, there is a bill introduced in this body, with the sanction of the present administration, so I am told and as I read in the newspaper, that outlaws strikes by public utilities, namely, gas, water, heat and electricity. Why, of course, Mr. President, the only commonsense thing to do then was to strike out this section which affected those industries and to specifically exclude them, and that was what was done and nothing else.

Mr. President, the gentleman from Westmoreland talked about this bill dragging out a dispute for two hundred ten days, until the union and the dissatisfied employers just could not take it any longer and gave up. Mr. President, I am sorry but the gentleman has been too busy to study the bill. There is no such provision in the bill at all.

What happens in this bill, Mr. President, is this: before the expiration of a contract the aggrieved employe, or his representative, gives thirty days' notice to the employer that as of a certain date, when the contract expires, they originally propose to sit down and discuss the differences. They start discussing differences, as the bill reads, within the first thirty days. So those thirty days are up at the end of the contract. The gentleman from Westmoreland said that now in the contract they have a ninety-day provision, so why and where is there any curbing of labor, Mr. President, when you require a thirty-day notice? There is no prohibition against ninety days notice if they so desire. This merely says thirty days' notice. Mr. President, when the thirty days elapse, unless both parties agree, either party can call in a labor conciliator set up by the Department of Labor and Industry. This gentleman, or lady, is charged with making an honest effort to conciliate the differences and can require the attendance of either party to several conferences. After the thirty days have elapsed, Mr. President, again unless extended by mutual consent, if the union wants to call a strike, what do they do—they notify this conciliator, who in turn notifies the State Labor Relations Board and this Board, Mr. President, conducts a secret ballot, the question being shall or shall there not be a strike—yes or no. As originally written, Mr. President, the bill provided that a majority of all the employes must vote yes or

there would be no strike. That was changed, Mr. President and I think rightfully so, to provide something easier as far as the unions were concerned—it provides that a majority of all the employees must vote to have an election and a majority of those voting could call a strike. This election must be conducted within fifteen days after the Board hands down its notice as to whether the “aye” vote was successful or the “no” vote. Then they can have a strike within ten days, as I recall it.

Anyway, Mr. President, it is possible under this bill to put a strike in effect in sixty days after the termination of the contract. Where in the world anybody gets two hundred ten days, I do not know, that is beyond me.

The gentleman from Westmoreland talked about a further postponement because of the National Labor Relations Board. Mr. President, that would only affect those cases that are before the National Labor Relations Board. The National Labor Relations Board, Mr. President, is months back with its work. Sometimes you can not even get a case considered in one or two years. According to the last figures I have, there were five thousand cases on the docket down in Washington, Mr. President, that they have not even gotten to yet.

I think there is a great deal of confusion with respect to that provision and I repeat, Mr. President, that just is not the fact, there is no two hundred ten day cooling off period; the maximum is ninety days, unless extended by mutual agreement.

Mr. President, the gentleman talked about arbitration, some compulsory arbitration, and if he would read the bill, Mr. President, he would find out that is completely voluntary, and why should there not be voluntary arbitration? Suppose the employer and the union decide that they do not want any outsider in this thing and they voluntarily submit to arbitration. What compulsion is there about that, Mr. President?

I repeat, this bill is not anti-labor; it just sets out to establish rules for playing the game.

As I recall, Mr. President, the gentleman talked about jurisdictional disputes—page 22 of the bill. There again, Mr. President, I am afraid the bill was not studied, because this provides for a voluntary settlement of jurisdictional disputes, that is, before the conciliator steps in. When the conciliator steps in, Mr. President, what does he do? He certifies the matter to the State Labor Relations Board and they conduct an election, a secret election. As a result of that election, Mr. President, determination is made as to who is the representative of the employee's union.

Mr. President, the gentleman from Allegheny, Senator Holland, I believe it was, made quite a talk about the closed shop. There is no bill under consideration that I know of that opens the closed shop at all. I think, Mr. President, that argument is completely foreign this afternoon.

Mr. President, there were certain other little amendments made here that sort of make good sense. We provide, along with this election, that the election must be held within the vicinity of such employee entrances. Mr. President, there has been a lot of talk about freedom of the American working man. What are we doing in this legislation? We provide a completely secret ballot, conducted in the immediate vicinity of the employee entrances,

where nobody but he and God Almighty knows how he votes. If that in any way curbs the labor movement in America I would like to know in what respect it does.

I do not want to take a lot of time of the Senate, Mr. President, but I do wish certain people had given more thought to this legislation.

Concerning a companion bill, No. 361, I would like to speak briefly while I am on my feet.

What does it provide? Mr. President, it guarantees, among other things, freedom of speech for the employer, provided however, that nothing contained in this act shall be construed in any way to prohibit any expression of opinion by the employer or his representatives with respect to any matter which may be of interest to the employees or the general public, provided such expressions of opinion are not accompanied by acts of coercion, intimidation, discrimination or threats thereof. What is wrong with that, Mr. President? It makes it an unfair labor practice on the part of an employer, Mr. President, to distribute or circulate any blacklist of individuals exercising any legal right, or of members of a labor organization, for the purpose of preventing individuals so blacklisted from obtaining or retaining employment, except that nothing therein shall prevent an employer from giving another employer, upon the latter's request, information regarding the known sympathy with, guilt of, or membership in any organization acting in opposition to the declared public policies or Constitution of the Commonwealth of Pennsylvania or the United States of America, which is the anti-communistic reference. What is wrong with that, Mr. President?

It shall be an unfair labor practice, Mr. President, for an employer to bargain collectively with a minority group of employees of a bargaining unit where a bargaining agent for the unit has been determined by a majority vote, as provided in Section 7 of this bill.

In other words, Mr. President, once there has been an election and a decision made, it is an unfair labor practice for an employer to bargain with a minority group of employees. What is anti-labor about that?

It is an unfair labor practice to intimidate, restrain or coerce any employer by threats of force or violence or harm to the person of said employer or the members of his family or his property—I am reading the amendment now or his property or by picketing the employer's homestead or the homestead of any person acting in behalf of the employer. What is anti-labor about that?

It provides that both employer and employee must bargain collectively in good faith, and failure to do so is an unfair labor practice for both. Mr. President, what is there unfair about that, or anti-labor?

As far as organizational picketing is concerned, Mr. President, it is an unfair labor practice for more than three persons to picket, or cause to be picketed, a single entrance to any place of employment where no strike is in progress at the time, or to interfere with deliveries to or from the premises, or to interfere with the performance of work therein by others, or to procure the same to be done. What is unfair about that? You have an industry in which there is no strike and you have organizational picketing even provided in this legislation—organizational picketing. There is no anti-labor legislation there.

It is an unfair labor practice, Mr. President, for any person to interfere in any manner with the operation of a vehicle or the operator thereof, whether or not the owner or operator of the vehicle is at the time a party to a strike. What is immoral or unfair or anti-labor about that, Mr. President? Neither side can do that.

It is an unfair labor practice to intimidate, restrain or coerce any employe to strike against his will, by any threatened or actual unlawful interference with his person, immediate family or physical property, or to intimidate, coerce, assault or unlawfully threaten any such person when in pursuit of lawful employment. What is wrong about that, Mr. President?

It is an unfair labor practice for anybody on either side, Mr. President, to interfere with the free and uninterrupted use of public roads, streets, highways or methods of transportation or conveyance, or to wrongfully obstruct ingress to and egress from any place of business or employment. What in the world is wrong about that, Mr. President? I would like someone to tell me what is anti-labor about that.

Mr. President, it outlaws secondary boycotts, and any number of labor leaders have told me they do not agree with secondary boycotts and they would like to strike that out themselves. So there is nothing anti-labor about that.

So, Mr. President, all through this bill—I do not want to take too much time of the Senate, and I have hit the high spots and there is nothing anti-labor about it. I have no such attitude.

I do feel very keenly, Mr. President, the responsibility of a legislator to his country and you can not tell me, Mr. President, and no man can, that by striving to get industrial peace in America without repressing any man, that a wrong thing is being done.

We talk about inflation, Mr. President, and we know full well that the only sensible cure to inflation is production. America was never built on an industrial production line but it will be destroyed by picket lines—and I do not mean to say I am against picketing in reason, I am not, I am for it—but, Mr. President, if the Legislative bodies in this great Republic of ours all stand idly by and allow the great production machinery of America to be tied up because no one has the courage to come to grips with it, I think, Mr. President, that is one of the most cowardly things any American citizen could engage in.

So, Mr. President, I have tried to keep my mind open as far as these two bills are concerned. I deny they are anti-labor. I think they are pro-American and pro-public, Mr. President. The sooner we set up rules for this game of industrial relationship, then the sooner America is going to be on the high road to production and take its rightful place as a beacon light for peace and prosperity in the whole world. Mr. President, can you imagine what more comfort any unfriendly foreign power could get than to have an unhappy picture of a man or woman in America not being able to place a telephone call between here and Philadelphia?

Now again, Mr. President, I do not condemn labor for that sort of thing, nor do I condemn the employer; I condemn the elected representatives of the American people

for not having the courage to come to grips with this situation which has been now crying too long for attention.

Mr. LANE. Mr. President, the membership on this side of the Senate appreciates the explanation which was made by the Senator from Delaware. However, we desire some additional information with regard to Senate Bill 280 and therefore I would like to interrogate the gentleman from Delaware.

The PRESIDING OFFICER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes, Mr. President.

Mr. LANE. Mr. President, I would like to call the attention of the gentleman from Delaware to section 3 on page 6, in which his bill sets up a division of conciliation, and desire to ask the gentleman from Delaware whether a labor conciliator would be appointed for a period of four years; is that correct?

Mr. HEYBURN. That is right, Mr. President.

Mr. LANE. At an annual salary of \$10,000 per year?

Mr. HEYBURN. That is right, Mr. President.

Mr. LANE. Mr. President, is it necessary that he possess any particular qualifications for this position?

Mr. HEYBURN. Mr. President, I think the only qualification this man or woman need possess is simply this, to be completely fair to both sides and at all times, keep in front of him the picture of the great mass of American people, and govern himself accordingly.

Mr. LANE. Mr. President, I call to the attention of the gentleman from Delaware, page 10, line 10, where the gentleman will note it says "The labor conciliator will have the prerogative to designate to act for him as his special deputy a previously registered and properly certified community agency which through experience and composition is qualified to serve in this capacity."

Would the gentleman from Delaware name any particular agency?

Mr. HEYBURN. Yes, Mr. President. In the city of Philadelphia, and I heard this widely discussed in a luncheon I had with some of my good friends in the labor movement, and I never had a happier time, Mr. President, we all approached this thing with an open mind, completely off the record. That, Mr. President, refers to certain certified agencies. In Philadelphia—I forget what they term themselves at the moment—but it has to do with mediation of strikes certified by the American Arbitration Association. The reason that is in there, Mr. President, is that sometimes local agencies that are completely familiar with the picture can much better conciliate differences than an outside agency, and I think if the gentleman will talk to any number of labor leaders—I suggest President McDevitt of the Pennsylvania Federation—he will agree that this agency in Philadelphia has done a grand job.

Mr. LANE. Mr. President, I desire to further interrogate the gentleman from Delaware.

The PRESIDING OFFICER. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. LANE. Mr. President, I call to the attention of the gentleman from Delaware page 11, line 12, where it says "Immediately upon receipt of a strike notice the labor conciliator shall certify the issue over to the Pennsylvania Labor Relations Board which shall, within a

period of ten days, conduct a secret ballot among the employes in the bargaining unit involved, which vote shall be held in the immediate vicinity of such employes' entrances." What would constitute a bargaining unit?

Mr. HEYBURN. Mr. President, that would be in the event of a contract, the agency that had signed the existing contract, the certified agency affecting the employes in any given unit, I should say.

Mr. LANE. Mr. President, who would certify to the Pennsylvania Labor Relations Board the list of the membership of the unit involved?

Mr. HEYBURN. Mr. President, I do not think there is any necessity for a list. What is done, once the Pennsylvania Labor Relations Board gets this certification, they immediately give proper publicity to it, after which time all employes should be informed, if they read the papers, and that is all they can do with it, or the union itself can give written notice, Mr. President—and then, within ten days—there will be an election, conducted not more than ten days after the notice and in the immediate vicinity of the employes' entrances, at which time they can go in there, Mr. President, and nobody but they and the Lord will know how they vote with respect to whether they shall or shall not strike. In the event of a jurisdictional dispute, Mr. President, the question is shall "X" union or "Y" union represent us, and that is all that is before those people, Mr. President. When that is done and the votes are counted you have the answer, and what could be more American than that I do not know.

Mr. LANE. The point I am trying to bring out is this, Mr. President, that in the provisions of the bill a majority of the membership of the union must vote; is that not correct?

Mr. HEYBURN. That is correct, Mr. President.

Mr. LANE. Mr. President, how would they determine a majority if they did not know the number of members in this unit that is involved in this industrial dispute?

Mr. HEYBURN. That necessarily follows, Mr. President, how many employes are involved, but that can be obtained from the company payroll or from the unit itself. Of course, Mr. President, you have to know whether hundreds or thousands are involved in order to know what a majority would be.

Mr. LANE. Just what portion of the unit would be permitted to vote in this election?

Mr. HEYBURN. All of them, Mr. President.

Mr. LANE. Would that include the supervisory employes?

Mr. HEYBURN. No, Mr. President.

Mr. LANE. Everybody but the supervisory employes?

Mr. HEYBURN. That is right.

Mr. LANE. I call to the attention of the gentleman from Delaware Section 7 on Page 17—

Mr. HEYBURN. Of what bill, Mr. President?

Mr. LANE. Senate Bill 280, and I quote, "Section 7. Re-submission to Pennsylvania Labor Relations Board. At any time during the existence of a strike the labor conciliator may at his discretion certify the dispute back to the Pennsylvania Labor Relations Board to conduct a secret ballot among the employes within the involved unit in the immediate vicinity of such employes' entrances

on the question of continuing the strike or returning to work."

Under this section would it not be possible to hold an election probably every other day?

Mr. HEYBURN. Well, Mr. President, of course you could not do that because you would have to have ten days' notice, at least, and the board could not physically conduct an election every day.

What is involved here, I would like to explain to the gentleman, is this: some time ago when the Philadelphia Record newspaper was on strike, Mr. President—I am very well acquainted with some of those employes involved, and sometimes they have written kind stories about me and other times they have been not so kind—one of them called me up and said "Senator Heyburn, how is it that nobody has set up any machinery for settling strikes, we want so bad to have a chance to vote on this question of shall we return to work or shall we not!"

Mr. President, when, in the opinion of this labor conciliator, there is sufficient doubt to believe that a majority of the employes have determined that they want to return to work in their own minds, without any force or coercion, then another election can be taken. That is the reason and the idea for it.

Mr. LANE. Mr. President, since the gentleman from Delaware is the sponsor of this piece of legislation, I would like to have a statement from him with regard to the section as to legislative import of this particular section; would it be possible to hold elections say every ten days?

Mr. HEYBURN. No, Mr. President; public opinion would not support any such thing. It would be silly, Mr. President, to hold elections every ten days but at any time when the conciliator has reasonable doubt about whether or not the employes want to continue, it can be determined in the American fashion, by having a secret ballot.

Mr. LANE. Under the wording of the bill, Mr. President, it would be possible to hold an election every ten days would it not?

Mr. HEYBURN. Mr. President, as I said before, it would not be physically possible, in my opinion, to do so and I can not conceive, Mr. President, public opinion in this great Commonwealth backing up such a proposition, they just would not tolerate it, Mr. President, and nobody would be so foolish, in my opinion, to try it, and the legislative intent is that it should not be done.

Mr. LANE. Mr. President, I call to the attention of the gentleman from Delaware Section "B", Page 20, "In case of contumacy or refusal to obey a subpoena issued under subsection (a) of this section, on application by the temporary arbitration tribunal, the Court of Common Pleas for the county where the proceeding is pending, or in which the person guilty of such contumacy or refusal to obey is found or resides or transacts business, shall have jurisdiction to issue an order requiring such person to appear before the temporary arbitration tribunal to produce evidence as ordered or to give testimony touching the matter under investigation or in question. Failure to obey such order of the court may be punished by the court as a contempt."

According to that Section that is compulsory arbitration, is it not?

Mr. HEYBURN. No, Mr. President, it is not.

Mr. LANE. How does the gentleman from Delaware then define it?

Mr. HEYBURN. Mr. President, there can not be a temporary arbitration tribunal unless both side agree to have it, as I explained before. Once they have this temporary arbitration tribunal, Mr. President, and once both sides have agreed to have it, necessarily they can not arbitrate any thing unless they have the facts, and then, Mr. President, they have power to require attendance of the proper witnesses. You have to have that. If you do not have that, Mr. President, it is a joke.

Mr. LANE. Mr. President, I call to the attention of the gentleman from Delaware Section 11, Page 23, which states "Suit for breach of contract. When any of the disputants in a labor dispute shall refuse to comply with the terms of their contract and there shall arise a definite breach of such contract, or there has been an overt act to create such breach of contract, the aggrieved party may institute appropriate action in a court of competent jurisdiction for relief under the rules and procedures of such court in the county of the locale of the industry affected. In no case shall damages be awarded of a nature other than actual damages sustained."

Mr. President, would it not be possible under the provisions of this section for several members of an organization to call an unlawful strike and would not this unlawful strike make the union liable for damages?

Mr. HEYBURN. Mr. President, an unlawful strike is in violation of the contract and therefore this section would not cover it. What is intended here, Mr. President, is wilfully breaking a contract by either party; then both parties are responsible for damages.

If I may continue, Mr. President, several union leaders, with whom I am friendly and have known for many years told me that they had objection to this provision and they raised that very question and I said, "I will tell you what I will do; you can insert any language you want in this section, provided you do not interfere with the fundamental principles of the bill, that is, make both keep a contract, and, evidently, Mr. President, they could not decide on any words to do that, because they did not come back.

I repeat, Mr. President, that if the gentleman has any such doubt, and the bill passes this Senate today—whether it will or not, I do not know—I am going to vote for it—if it does pass this Senate today, Mr. President, and if the gentleman from Washington thinks he has something which will protect that situation, I myself will go with him to the House Committee and advocate it. No one could do more than that, I do not think.

The sole intent of this legislation, Mr. President, is to make both sides keep a contract. That is the only way you can get industrial peace. Once a contract is signed, then it must be valid for the period of the contract.

Mr. LANE. Mr. President, in section 11, line 13, the gentleman from Delaware will note, Senate Bill 280, page 23, the wording says, "or there has been an overt act to create such breach of contract"—that phrase is very dangerous in my opinion, because I believe it might be possible for two or three members of this organization to

cease to work, cause a strike, and the company may suffer damages, and the result will be they will sue the union representative; is that not correct?

Mr. HEYBURN. Mr. President, I would like to say to my good friend, the gentleman from Washington, that this overt act refers to an overt act on the part of the union.

Mr. LANE. On the part of the union?

Mr. HEYBURN. Yes, the union, Mr. President, I repeat—not individuals, but the union itself.

I repeat, Mr. President, if there is any language the gentleman from Washington would like to insert that does not interfere with the bill as far as principle is concerned, I will go to the House Committee with him and advocate it. I said this to organized labor leaders, and they did not come back. I offered to have a lawyer sit down, who represents unions himself, and work out an amendment, and nobody, Mr. President, could suggest anything. I repeat that offer to the gentleman from Washington.

Mr. LANE. Mr. President, during the debate here this afternoon I was handed a slip of paper which outlines in detail this question of initiation fees, with regard to restaurant hotel workers who are affiliated with the American Federation of Labor, and I believe, Mr. President, their initiation fee is \$5 for unskilled and \$10 for skilled workers. \$2.50 goes to the international union, out of which a \$200 death benefit is paid. Dues are five cents per day for a female and five and a half cents per day for a male. That seems very very reasonable to me.

Before I get off the floor I would like to read something into the record which appeared in the June issue of the Reader's Digest. This was written by Marty McIntyre, A. F. L. organizer, who works in and out of Bradford, Pennsylvania, where he was born in 1909.

"It took me just 20 hours to organize the 600 workers of a plant in Western Pennsylvania. Then I went in to talk turkey with the boss. Not a bad sort, he seemed bewildered.

"I've worked with these people 30 years," he said. "In a day or so you organize them, and they'll follow you anywhere."

"I didn't organize them," I told him. "You did. And it took you 30 years to do it."

"This successful small-town employer understood only half his business—the half beginning with manufacture and ending with sales. He didn't comprehend the simple truth that workers are people. His employees were little more to him than machines in overalls. And his wage scale was so low that a family couldn't live decently unless two or three members were working. There had been complaints—but he had brushed them all off. The men had to organize and strike to bring him to his senses.

"Most plants in the United States are small affairs like this one. And in my 13 years as an organizer of AFL unions in hundreds of them, I have had a good chance to figure out the causes and the cures of their labor troubles.

"Workers in small communities have a stake in staying put. Many of them own their own homes and expect to work where they are for keeps. What's more, they know their bosses, who have invested their savings in the business just as the workers themselves are investing the

years of their lives. Strikes don't develop in this atmosphere unless the causes are compelling.

"No one—except the professional malcontent—welcomes a strike. Average union workers are not wild-eyed radicals. They're the chaps bowling in the next alley, the trim girl on the bus, the older folks you brush against in church or at the movies. They won't amputate their incomes and pound the picket line unless they're convinced they're getting a raw deal. Rent, payments on the new refrigerator, babies, make strong arguments against striking. Forget the idea that a union leader just snaps his fingers and everybody walks off the job.

"At an upstate Pennsylvania plant right now, a strike is long overdue. But the people won't walk out. Their boss, despite his faults, is slow to fire anybody. He gives his employees that precious feeling of security. They want and need more money, but the boss hasn't made them mad enough to strike. Neither, so far, have I. A man's strike vote in a wage dispute is tempered by human factors in his relations with his employer.

"Some plants handle their labor relations so well that unions can't get even a foothold in them. Bovaird & Co., oil equipment manufacturers in my home town of Bradford, Pa., is a good example. A hospitalized worker is kept on the payroll; an anemic employee is supplied an expensive liver extract month after month; an official of the company butchers the hogs on his farm and quietly passes the cuts around (his wife got two pounds of sausage meat out of that deal). Frequently this firm invites organizers to come in, but we have preferred to concentrate on people who really need a union.

"Nitroglycerine shooters in the much-smeared Du Pont Company gladly joined the powder worker's union—to help discontented shooters in other branches of the industry. They asked us not to stir up anything with their own highly satisfactory management.

"Management earns such tributes only by square dealing—by looking for grievances before they happen, and seeing that they don't happen.

"As a professional trouble shooter for labor, I know that the worker's principal beef is ill-chosen foremen. Every questionnaire proves it. Either a foreman is a smooth roller bearing or else he's so much sand in the gears. He recommends promotions, transfers, layoffs; allots vacations, days off, shifts and hours. He needs tact, tolerance, intelligence. Productivity and morale are ruined by "worry warts," and by unjust overseers.

"Little things can cause a lot of trouble. For instance, luxurious executives' washrooms when workers have only cold water, leaky sinks and poor quality towels, or an executive who walks through "no Smoking" areas puffing a cigar.

"Many firms, to suit their own convenience, pay only monthly or semi-monthly. Results? Workers must buy supplies at credit stores, which charge more, instead of at lower-priced markets which sell for cash.

"Small bookkeeping changes would provide weekly pay envelopes and put the equivalent of additional dollars in every worker's pocket.

"Workmen hate the time-study or "efficiency" expert who experiments with a worker as impersonally as a mechanic tinkers on a machine. They expect to do a fair

day's work, but they object to trick pressures and speed-up.

"One of labor's jumpiest nerves is promotions-transfers-layoffs. Advancement is difficult in modern industry; not everyone can leap from the forge to the president's chair. A worker's only protection for his investment in the firm (the years of his life) comes through seniority. When it comes to promotions, workers recognize incompetence as well as management does, and no intelligent union will push a man into a job he can't do. A management and union committee can arrange amicably to reward the skill of a junior man.

"When wages and other conditions are satisfactory, the workers themselves will solve many personnel troubles. An Ohio novelty manufacturer recently jolted me by offering several cents more per hour than I had asked. But as soon as I signed the contract he dropped a tardiness problem right in the union's lap. We cured it by having all latecomers make an embarrassing entrance through the main office. Once living wages are assured, most workmen police the shirkers better than any supervisor or foreman can.

"Over-all profit-sharing plans likewise stimulate production. I have been particularly impressed by the way teams in a large Pennsylvania slide-fastener plant achieve amazing production—and earnings—under a group bonus plan. Removal of lazy or inept workers is one of the workers' constant demands. It's a rare union leader who has to carry such complaints to a boss!

"The soundest basis for labor-management stability is the guaranteed annual wage. It is a goal for management as well as labor to strive for. Can industry buy materials, pile stock, scheduled production and advertising a year in advance, and not be able to guarantee steady employees a certain amount of work and pay over the same period? Few working men can believe this.

"Labor troubles will continue to plague industry if management doesn't pay more attention to basic sources of disaffection. It's true that some strikes are caused by no fault of the employer: jurisdictional disputes, protests against government decisions, Communist influence. But get away from big-city theorists if you want to understand American labor. Many a troubled boss or bystander thinks he sees sinister political trends in a simple, healthy demand for better pay and better working conditions. If it seems to you that the average working Joe is tackling the capitalistic system, remember he's tackling it only to take a bigger chunk of it home."

Mr. WOODRING. Mr. President, I did not hear what the gentleman from Westmoreland said about the waiting period, or cooling-off period, under Senate Bill 280, but I believe I heard what Mr. Heyburn, the gentleman from Delaware, said and if I recollect correctly, he said it was a period of ninety days.

As I read the bill—and for the benefit of the gentleman from Delaware I would like to go on the record and state that I have studied the bill rather seriously and at some length—and as I read it there is provided prior notice of thirty days, a period of thirty days following the period of notice; I read in the bill that there is an additional period of sixty days after it has gone to the conciliator, or the National Labor Relations Board; I find a ten-day period after that, at which time an election may be

held, and then a forty-five day period for certification, which adds up, in my calculations, to one hundred forty-five days; but, in addition to that, collective bargaining agreements, in those cases where there is a pre-existing agreement, always provide for some additional period before which a contract can be re-opened or the question of wages can be redetermined, and figuring that very conservatively at sixty days, I would calculate the entire period to be something like two hundred five days, which is a pretty long cooling-off period. So much for bill 280.

Mr. President and members of the Senate, I would like from here on in to consider those bills about which I spoke last week, Senate Bills 677 and 678, the bills which have to do with group life insurance as taken out for the protection of society generally by the unions, policies for which were written during this session, out in the area of Pittsburgh and Allegheny county, covering some thirty-three hundred employees in only two contracts, to say nothing of the countless women and children who are directly affected by those contracts and which were ruled out by the Commissioner of Insurance, and which ruling is to be validated by these bills, Senate Bills 677 and 678.

In considering these bills, Mr. President, it seems to me that Pennsylvania is changing its clothing, it is taking off the raiment reserved for the sheep or goat and trying to take on the raiment of another animal.

Pennsylvania is notoriously backward of the forty-eight states of the Union, notoriously backward, and its historic position in this regard can be readily understood when you consider the Republican National Conventions of 1936 and 1940, because on each of those occasions Pennsylvania could have been responsible for the selection of the presidential candidate of the Republican party and could have taken whatever credit could be assumed from that position, but Pennsylvania, adhering to its backwardness, passed its vote, its opportunity passed, and only after the selection of the candidate was assured did the Pennsylvania delegation pick up its banners and try to jump on the bandwagon.

That has nothing to do with legislation, but there are many things that have to do with legislation. In the case of compensation for partial unemployment compensation, Pennsylvania was the forty-seventh state—not the first and not the sixth or seventh state in the Union, but it was the forty-seventh of the forty-eight states in passing laws providing for compensation for partial unemployment compensation—Pennsylvania and Montana were the last two states in the Union to adopt that law, and Montana is a great state of forests and lakes and does not need any labor relations law and it is not what you might call an industrially leading state. Pennsylvania, on the other hand, is one of the leading states in industrial life, if not the leading state, but Pennsylvania was forty-seventh in that regard. Pennsylvania is way down the ladder in its assistance, in its direct compensation. Pennsylvania is very backward and especially with respect to hospitalization for the mentally ill and for the crippled. I have stated on this floor again and over and over again, with much regret, that in my district, and I am sure in all the districts, we have hopelessly crippled children of indigent parents, and the great state of Pennsylvania

can not take care of those cases.

I point out this backwardness with a very definite purpose. In the instant case of adopting this kind of legislation—call it anti-labor legislation or ripper legislation or whatever you please, these bills speak for themselves and the record will stand. In this type of legislation Pennsylvania tries to throw off the sheep's clothing and tries to become a white woolly lamb and lead the procession of industrial states. No large industrial state to date has enacted any legislation like Senate Bill 280, or any of the others on the gamut of this special order of business, and it seems to me that we are doing an ill-advised thing to adopt this type of legislation at this particular time in the history of our country.

Mr. President and members of the Senate, I heard our minority floor leader pose the question: have you ever sat in on a strike meeting—many of you have not and I have not but I came close to it, not quite, but I have sat in on the negotiations of labor contracts, I have sat in on those meetings for both the employer and employee, for both industry and the union, and I know something from first-hand experience of what goes on in the thinking in meetings of that type. This is a serious business—these bills, 677 and 678, are serious business. These labor contracts, these collective bargaining agreements, are entered into normally with three parties thereto, the employees, the union and the employer, but there is a fourth party, a very definite fourth party, to every one of those contracts which is written, or between the lines, and which can not be removed from the writing and which can not be removed from consideration of the contract, and that is the public, and in Senate Bills 677 and 678, in a very thoughtless mood, in an angry mood, in an effort to spank the baby, in an effort to chastise this unruly child which we call labor, the sponsors of these bills have endeavored to bring down their wrath upon the innocent public.

It is a serious business when we have, and we do have, group life insurance, group health and accident insurance, group dismemberment by death insurance, hospitalization, insurance of all types. Why? Not to protect the employer and primarily, I say and I say it again, primarily not to protect the employer but to protect society generally, because when there is a death case, when there is a serious accident case, an employee case, a case where a man or a woman is incapacitated for the rest of his working life, that is a responsibility and a liability that is vested back upon the public. All of these types of group insurance were originally written and conceived with knowledge and recognition of that fact; they were written to take care of the public, so that the public would not have to bear the burden by reason of that death or that of accident.

By reason of the 1921 Act, as amended, which defines group life insurance, a great many group life insurance policies have been written, in Pennsylvania, in New York—which has similar legislation—in Massachusetts, and in a great many of the forty-eight states of the Union, and yet, at one stroke of the pen, by a simple amendment to that Act under Senate Bill 677, you take away the right of a union to purchase insurance if the premiums are contributed to by the employer. How are these premiums contributed by the employer? Well, let us go back to those occasions when those of us in this Senate

and in this gallery negotiated union contracts. What is the purpose of that negotiation? Well, very often they want additional wages and they ask for twenty cents and they are finally told that the employer can not do business if he grants a twenty-cent increase; the company negotiators come along and say "We can not give you twenty cents increase and stay in business but we can give you eight cents and in addition to eight cents, we will give you three or four, or two, we will give you some additional amount." Why? Not to finance the union, not to finance political campaigns, but in lieu of additional wages; instead of writing an increase at eleven cents, they say "We will give the men eight cents and we will give you, the union, three cents additional in lieu of additional wages, for a particular purpose, for a very sound purpose, for the purpose of health and welfare, which ought to ring close to the hearts of every one of us because, with all our property, if we do not have a good health and welfare program, if we do not have a good health and welfare status, we will not be a happy nation and our prosperity can not continue very much longer."

So that contract is written that way and, under the terms of that contract, those three cents additional, in lieu of additional wages which might have been given under the contract—might have been given to the employees, the members of the union, but which were not and were given to the union—that money becomes the property of the union under all the legal tests, and once it becomes the property of the union, the union ought to be free to go out and buy that insurance in any way it sees fit under the regulations of proper insurance laws and, having purchased that insurance for the protection and insurance of its members and the families of its members, that contract ought not be disturbed either by our Insurance Commissioner or by subsequent legislation.

I could, Mr. President and members of the Senate, tell you some very intimate facts concerning a ruling of the Insurance Commissioner which led up to this legislation, which would be embarrassing to him and which would be embarrassing to me as a member of this Senate and I am going to refrain from doing it, but let me say that all that glitters is not gold—and the President agrees with me—this legislation was not inspired by the best legislative motives and principles. It was a deliberate attempt, as I said, to spank the baby, and it is prompted by improper motives and ought not be considered seriously. I heard our minority leader to day say "Today you can do it, you can pass all this legislation, but tomorrow the people will rue it." Yes, I think the people will rue it.

I think the majority side in this Legislature, both in the House and in the Senate, is going to rue it, and I think the successful passage of this special-order-of-business-labor-bills is going to cause men and women engaged in honest labor in the state of Pennsylvania to rise up to social and political heights to which nobody ever respected. I think that the majority side, speaking politically, is making a very serious mistake; it is not for me to pass judgment on their conduct, but I do agree with my leader that tomorrow you will rue it.

I think, Mr. President, concerning the labor bills that are on our special-order-of-business calendar, that generally labor itself can take care of those bills. However, with respect to Senate Bills 677 and 678, I think neither the laboring man or the union can take care of them,

because the real hurt comes not to them but to the public, and my sympathy goes out to the public. When Senate Bills 677 and 678 are passed by this Senate.

Mr. JASPAN. Mr. President and gentlemen of the Senate, I learned today that Mayor O'Dwyer of New York called a holiday for the citizens of New York in protest against the Taft-Hartley Bill.

I feel that Governor Duff similarly, in view of his feeling towards punitive legislation, should call a holiday not only for today but for the entire week, starting next Monday.

I have heard much today and I have been very much interested. However, I feel there have been some points which have not been touched in connection with these labor bills, something that strikes home, not at my home alone but at everybody's home. Apparently some of us have forgotten where and how we were born; some of us may have come into wealth, fortunately, not realizing what poverty is, what it is to work by the sweat of our brows. Others, however, have been forced to work by the sweat of their brows. I have heard our minority leader, Senator Dent, say that he worked in the mines and worked in the factories. I have heard others say the same thing. I, likewise, at the age of sixteen went to work in a foundry at the corner of Broad and Buttonwood streets in Philadelphia, where I worked for \$5 a week, working fifty-five hours a week, earning myself something like approximately nine and three-quarter cents an hour, I earned a living, while the bosses were making millions and basking in the sun at Florida, Atlantic City, or whatever summer resort they frequented. I have heard others say the same thing and my heart goes out for them because I worked as they work. Others who never worked by the sweat of their brows do not appreciate what it is to work hard and therefore I can consider the rights and the needs and the wants of labor and I say to you, Mr. President, at the very outset, and let us not forget it, these bills before us are designed to curb labor and destroy all gains made by labor since 1932. To put it more simply, it is to punish labor. These bills, Mr. President, were born in anger and are replete with vengeance. I wonder whether we are losing our sense of values? Do we not realize that labor creates the wealth that some of us enjoy here, and others throughout the state of Pennsylvania—apparently we do not. I appreciate, as I said before, that some of us who have not worked by the sweat of our brows do not realize the value of labor. I, like others, worked in foundries and factories and arsenals to earn a living, and therefore I am in a position to judge labor's true worth.

What is more, the people in my district are ninety per cent the laboring class and I know what they want. They elected me to represent them and I am going to represent them and not represent the interests, whose bidding some of us have done. Our people want protection and security. Do we intend to deny them what the Constitution of the United States and our Declaration of Independence gave them?

May I first ask why did our first Americans come here? The answer is a very simple one, a very plain one—to escape religious persecution, to obtain social security and economic security.

I shall confine myself to the question of economic security as it bears on the subject before us. Working in

factories, shops and mines for years, for a mere pittance in order to exist, so that others can fill their coffers, is a sad commentary on the cities and the states and the government as well, while the capitalists sits there and enjoys prosperity with little regard for the rights of the common man. On account of their very conduct, and I speak of the capitalists, the men who are manufacturers, unions became a necessity. Yes, to protect the worker against the greed of the capitalists. Under unionism the lot of the worker has improved considerably, and such should be the case if we are honest to ourselves and if we are honest to our people.

Are we now going to destroy with one fell swoop all the advantages that are now labor's? Let me ask, in what respect has the capitalist suffered through the gains made by labor? The truth is that the capitalist today is in better position financially than he ever was, yet he complains. His object is to enslave labor and mankind. Do you know what happened to the Roman civilization thousands of years ago when labor was enslaved? That was one of the contributing factors to its downfall. Let us not make the same mistake.

Every man has a right to live, and I now quote from the preamble of the Declaration of Independence: "There are three inalienable rights, the right to life, liberty and the pursuit of happiness." My leader so stated. The right to live was given to us by God and nobody has a right to deny us that right, if we have any religion in us. The trouble today is that we lack religion, we only talk about it but never give our ears to it, but as we walk out of the church, temple or synagogue we forget the rights of others to live. We need further a little education so as not to act with greed, selfishness and over-zealousness and avariciousness.

The right to live, as set forth in the Declaration of Independence, is an inalienable right. The right to enjoy a full, rich and complete life should be everyone's right.

We can not set ourselves up today as God—ready to pass judgment, without consulting individuals, without considering their needs and wants. We who are safe and secure, very often forget the needs of those who are less safe and secure. That is unfortunate but it is true, on account of the greed for money and the power that you may attribute to it. You may call me what you will, but I am as much an American as anybody in this state.

Are we here to cater to the greedy and selfish employer, as against the employe who only asks for the right to live decently and comfortably, such as you and I enjoy that right. We often forget that we were elected by the people. After election who do we cater to—the interests, the utilities, the corporations, the manufacturers and the like.

Let me ask one question of the members of the Senate group: have you ever taken a poll of the people you represent to determine their attitude on these labor bills? Of course you have not. I dare say in almost every case they would be unalterably opposed to such drastic legislation as you now seek to pass.

I now quote from page 4 of Senate Bill 230, introduced by my friend from Philadelphia, Mr. Kephart: page 4, line 4: "Whereas such practices are undemocratic and monopolistic, they can not exist side by side with free enterprise and they are opposed to the fundamental rights

set forth in our Constitution that 'all men are born equally free and independent and have certain inherent and in-defeasible rights, among which are those of enjoying and defending life and liberty and of acquiring, possessing and protecting property and reputation and of pursuing their own happiness.'" That to me seems like the devil citing scripture in his own behalf.

Speaking of monopolies, under this bill, you would think labor unions were monopolies. But speaking of monopolies, think of it gentlemen, think of the utilities. I heard it mentioned on this floor that the Bell Telephone Company has allied throughout the country with the A. T. & T., they have no competition, and no one dares to give competition because we must do the bidding of certain interests, they get what they want, do what they want, and if they do not get what they want, something happens to certain individuals.

Again speaking of monopolies, there have been eighteen hundred mergers or consolidations since 1941, involving over six billion dollars of corporations and manufacturers—and they speak of unions as monopolies. Large firms have been gobbling up small firms, cornering markets—not the unions but these corporations, these utilities, these manufacturers, maintaining high price levels, causing increased cost of living and destroying free enterprise and initiative—as brought out in Senate Bill 230, that the unions are destroying free enterprise.

We are not children, you do not have to blind us to the facts. It is these corporations, the very ones that condemn regimentation and bureaucracy by the government that are destroying free enterprise. Banks—think of it—with their millions, denying the little merchant, thereby squeezing him and forcing him out of business, denying some little money, conspiring with big business. Is that what you would term free enterprise and initiative with labor and business acquiring and protecting property.

Gentlemen, I am not being deceived by high-sounding phrases or propaganda resorted to by industry, that they are being imposed upon because it is labor that is being taken advantage of, labor and the common man, my friends, being imposed upon, but apparently some of you have forgotten it, you did not have to labor, like your grandparents or someone in the distant past when they came to this country—for what purpose—to make an honest living—but apparently we have forgotten the rights of the common man and the sooner we realize what he needs, the better off we will be. Speaking of communism, there will come the day, unless we make up our minds that we shall protect labor, the little laboring groups, the very wealth that we enjoy today will be destroyed.

I remember, when I was a child, I heard of that American dream that there were equal opportunities for all, we heard of that great American principle. America to me is a great country and it was intended for all, but selfish and greedy people have seen fit to exploit it for their benefit.

Let me read from a book called "The Evolution of America's Purpose." I will not fritter away your time on just anything in these first hours—here we have the Pennsylvania Manual, here is a book called "Labor and Industry"—here is one about labor, and this I say from experience, that it is my observation, my friends, that labor deserves some consideration, but unfortunately, just

before Roosevelt came into office I recall those yellow-dog contracts which enslaved labor which was the beginning of the end for Democracy, or for the representative form of government, unless we come down to brass tacks and do what we believe to be right, and you may not agree with me, but unfortunately they can not publicly stress what they privately feel on account of their leadership, and that is the trouble with our government today, because the leaders come to us and dictate notwithstanding the people who elect us to office.

And now I shall quote from this book called "The Evolution of America's Purpose" which bears very much on the subject before us. Mr. President, I speak sincerely and honestly—there may be a little levity here and there but it does not disturb me one iota. Here is this gentleman, A. J. Snyder, an economist, who has made his observations, he studied America, studied the economic system, the monopolies, corporations, rights of labor and the rights of everybody and, in fact, he starts out at the very outset by saying under Introduction, "When in the course of human events it becomes necessary—"—that is from the Declaration of Independence, as I stated before, those three inalienable rights, life, liberty and the pursuit of happiness and this bears on the point and I wish you would consider this and consider it well because this is a very serious and important bill and I speak for the eighty thousand people in my district, sixty thousand of whom are working-men:

"Man, in his more noble moods, makes bold resolutions. These firm resolves are the source of his greatest strength. Yet, in the qualms of weakness, these are the first to be discarded. One who dares remind him of his solemn pledge is indeed a friend, but in so doing risks that friendship.

"A nation is merely many men, and likewise, has its noble moods and makes bold resolutions. "Youth is the seed-time of good habits as well in nations as in individuals." A nation also has its faint moments when moral courage is relaxed. To remind a nation, grown into empire, of those ideals with which it was conceived, is certain to incur resentment, and perhaps provoke an angry charge of "treason." But when our own nation, in the full vigor of its manhood, stands dazed and bewildered, paying heed to every false advice, yet ignoring the wisdom with which it was born, then the obligation to recall those pledges is imperative.

"Reminding becomes a double duty when the very purpose for which our nation was brought into being, both solves its present problems and holds the only hope for its future existence.

"Today the social structure of our nation is undergoing vast and hurried changes. Time honored institutions and long accepted doctrines are being questioned, while newer theories clamor for recognition. The American people are confronted with the task of deciding which of the old to discard and which of the new to adopt. National pride dictates that only those changes be accepted which are in line with our national tradition, in keeping with what we are pleased to term, the "American way." Unfortunately, constant and rapid immigration has brought into this country philosophies foreign to our tradition; while within our country, an abundant prosperity, enjoyed without gratitude, over a long period has made some, who are

American by birth, dull to the real meaning of our American ideals. Many now say we have no American beliefs, that emergencies demand the acceptance of theories and doctrines, of other people. Others, who should know better, feign ignorance of our ideals, mock them, deny them, and even distort and substitute false doctrines in their place.

"We talk of the "American way," yet how many know the meaning of the term? Some even question that it has a meaning. Every American should know that America has a philosophy; that the American philosophy is not only political but extends into the whole realm of human affairs; that it applies to existing economic problems; that it resents the only certain solution to their complexities; and that the American philosophy is right.

"What is this philosophy? From whence does it come? By whom was it propounded? How does it apply? What solution does it offer?

"The answers should be on the tongue of every American. Unfortunately there are few who know its terms, its meaning, or its application. Because we are ignorant of our own traditions, we are on the verge of accepting foreign philosophies. America must not make the mistake of adopting any of the false doctrines which are aligning humanity against itself and tending to disrupt the rest of the world. The urgent need of this nation for a knowledge of its own philosophy is the necessity which dictates this book.

"This nation did not just happen, nor did it chance into existence by the usual paths of history. Our forefathers truthfully claimed, "To fraud, to force, or accident, all the governments we know have owed their birth." "The Americans are the first people whom Heaven has favored with an opportunity of deliberating upon, and choosing the forms of government under which they should live."

"Ordinarily people become welded into nations after centuries of interbreeding. Similarity in race, religion, or geographic position account for their national existence. A new nation is forced into being only by violent military or economic necessity. Today, however, we in America, exist as a nation, though as a people we are unrelated in racial origin, drawn from every corner of the earth, profess every known religious creed, live beyond mere economic necessity, and are without fear of military invasion. We exist as a nation without any of the ordinary ties required to bind people together as a nation.

"A resolute purpose forms the solitary corner stone of our national structure. The common belief in the "equal rights of man" was our one reason for becoming a separate nation. The preservation of these "equal rights" is the single purpose for our continuance as a nation.

"America's purpose is not the mental gem from the mind of some one man, or even of the group of men that brought this nation into being. It did not suddenly blaze forth in full brilliancy upon the sky of human events. Nor did it begin as an enactment of human legislation. America's purpose is part of the very laws of nature; a persistent truth, struggling for recognition by man. Its cry for belief was heard by wise men from time to time since the very beginning of mankind. At first its faint philosophy had but few followers. By their teachings it gained greater credence. At times its truths were crushed beneath the heels of tyrants, only to rise with greater force. Through-

out the ages it developed from a mere whisper to a mighty murmur of human belief.

"In 1776, America's purpose was written for the first time into human laws. It was the primary legislation of our new nation. Into the Declaration of Independence, which voiced our right to a separate national existence, those wise philosophers, to whom we owe our birth, wrote their philosophic beliefs:

"We hold these truths to be self evident that all men are Created equal, that they are endowed by their creator with certain inalienable rights; that among these are Life, Liberty, and the pursuit of Happiness."

"The nation they were establishing was not to be an aimless collection of humanity, but a new kind of nation; a nation with a purpose. They stated this purpose clearly and concisely when they added; "That, to secure these rights, governments are instituted among men."

"Time tends to decay. Even the firmest foundation in time needs rebuilding; the firmest resolution requires reiteration.

"Some eighty years after this nation's birth, it became necessary for Abraham Lincoln to remind Americans that the nation "our fathers brought forth on this continent" was "dedicated to the proposition that all men are created equal." Our nation had lost sight of the purpose for which it was founded. Lincoln pointed to this decline; "Near eighty years ago we began by declaring that all men are created equal; but now from that beginning we have run down to the other declaration, that for some men to enslave others is a sacred right of self-government."

"Some like to excuse conditions on the theory that good and bad run in cycles which are beyond human control. For once the cycle of conditions happens to fit their theory. After a similar period of eighty years, our ideals have again "run down to a declaration" that for a few to exploit the lives and labor of millions of Americans is not only their "right," but their "American right of liberty." This is but one of the many distortions inflicted upon American principles.

"The ideal of equality has been so far forgotten that one who dares to advocate even a hesitant step in that direction is labelled "un-American." Inequality has become an accepted condition. Some now say the plain term "equality" was not intended. They apologize for our Revolutionary forefathers. They explain, that for which those patriots fought and bled was merely the limited right of "equality before the law;" which can only mean the doubtful privilege of suing or being sued in courts bound by unequal laws. They would reverse the purpose of our government, so its every muscle would be strained to perpetuate inequalities, against the natural trend of progress toward "equality."

"The right to life" has been diminished to a gamble for the means of existence. Security has become the luxury of a few. Life, for many, is a hazardous venture against overwhelming odds. Our government, "instituted to secure these rights" is supposed to act only as an "umpire" in this game of chance. While those who wish to enjoy the "adventure of speculation," at the risk of the lives and happiness of others are permitted to do so, providing they play according to the rules.

"One who dares defy this travesty on American ideals

is labelled "radical" and "revolutionary," as though to protest against injustice has become high treason. It has been said, "We have forgotten the very principle of our origin, if we have forgotten how to object, how to resist, how to agitate, how to pull down and build up, even to the extent of revolutionary practices, if it be necessary to readjust matters."

"We are told we must worship as "sacred" the errors made in the past, that the written laws and constitutions of human workmanship take precedent over the Laws of Nature. Forgotten is the advice that, "A strict observation of the written law is doubtless one of the high duties of a good citizen, but it is not the highest. The laws of necessity, of self-preservation, of saving our country when in danger are of higher obligation."

"Stand by your constitution" has become a slogan for blind adherence to existing inequalities. The law-abiding instinct of Americans is thus played upon to prevent the necessary changes that would deny a few their unfair advantages. No one dares to mention that "the basis of our political systems is the right of the people to make and alter their Constitutions of Government."

"Americans are told they must accept depression, poverty and defeat, as necessary conditions, as part of the "normal cycle" of existence. Placated by empty promises of "prosperity," and equally empty claims of "recovery," they exchange their right to an abundance for a crumb of "relief." Their appetite for happiness has been so long denied, that it is easily sickened by a few charitable sweets. The sterner stuff from which Americans were made has become too thin. The Continental European philosophy of "contentment amid poverty" threatens to replace the American "right to the pursuit of Happiness." Vague hopes for future rewards are accepted in exchange for the fundamental belief in a kindly Creator of an abundant nature here on earth.

"As Lincoln once said, "Prosperity" has "bred Tyrants;" they have reappeared in this fair land" and are about to "commence their vocation." They have already begun to distort American principles to their use. If these principles were merely the policies of some political party, we might look on with only mild feelings of repugnance while they are being twisted and contorted. But the principles of the Declaration of Independence are the pronouncement of our nation's purpose. They are the avowed determinations of our people. They are the reason for our national existence. Those who attempt to twist and distort these vital principles are torturing the very flesh and soul of every true American. It is but a question of time, when the irritation will exhaust the patience of an outraged people, and cause them to turn the force of their resentment upon their tormentors.

"There was a time when the "self-evident truths," upon which this nation was founded, were called "self-evident lies," when they were labelled "glittering generalities" and said to be "too idealistic" for the day and age. It should not be necessary to recall the bloodshed strife and civil war which threatened to destroy our nation, once its principles had been violated.

"The fundamental ideals of our country are, therefore, repeated, analysed, explained, and applied; not as precedents for blind acceptance, but as principles depending upon their own merit as truths. To acquaint Americans with the real meaning of their ideals; to challenge the

feeling of smug "superiority," which denies "equality," to create a realization of the "Rights of Man;" to awaken that spirit with which America was born, in the hope we may avoid the natural consequences, which must follow if our nation's purpose is distorted and denied; this work is dedicated.

THE ANCESTRY OF AMERICA'S PURPOSE

"The error of those who reason by precedents drawn from antiquity, respecting the rights of man, is that they do not go far enough into antiquity. They do not go the whole way."

"When we examine the past, our purpose should be to ascertain if we have advanced; to find the direction of the paths of progress; to learn what means have aided us in our journey and what impediments remain to block our way. In this manner, the past can enable us to quicken our steps and hasten toward the goal of the future.

"Many million years ago, life first formed upon the cooling earth in tiny single cells. Each was a separate living thing, sufficient to itself. The lowest form of life was purely individual. Some jots of life were satisfied to remain isolated beings, and even to this day are simple single cells. But all life was not content in that solitary state; an impulse built by nature into its very structure urged it to combine with other life. From these unions of living cells evolved many complex creatures, among them man.

"Combination had a curious effect. Life which combined became more highly developed. The animals of many cells were more advanced than those which remained as single cells. Nature placed a special premium on co-operation.

"This urge to unite was irresistible in those cells destined to become man. When they had succeeded in their task and achieved the status of man, the impulse had not yet spent its force. The tendency to combine became man's outstanding characteristic. He was not content to remain alone but joined with other men to form society. "'It is not fit that man should be alone,' said the all-wise and all-gracious Author of our frame, who looked with compassion on the first solitary state of the work of his hand."

"The social instinct of man was his sword and shield. Compared to other primitive animals he was puny and weak. Alone he would have furnished a single, dainty morsel to whet the appetite of some mammoth beast. Together with other men he was a giant in power, with strength and skill that more than multiplied with his numbers, which enable him to subdue all other creatures. "Nature has endowed him with a principle, which gives him force and superiority, where otherwise he would be helpless and inferior. By sociability, they, who separately could make no effectual resistance, conquer and tame the various kinds of the brute creation."

"The earth is truly the source, the sustenance and the sepulcher of man. He came into existence because the earth at its surface was suitable for his needs. The air, water and soil furnished all that was necessary to sustain and preserve life. Conditions were both kind and abundant to nurture human life in that frail and helpless beginning. When the status of primitive man was achieved, he was crude and only slightly advanced beyond other

creatures. During infancy he was dependent for a longer period, hence more helpless than his animal enemies. An abundance which overwhelmed his needs, harvested through cooperation with his fellowmen, accounts for man's ability to withstand the struggle for existence and attain his present status.

"Much has been written concerning the principle of the survival of the fittest. It is a biological fact that in a natural state, such as existed in primitive times, only those animals which were best fitted by reason of extra strength or cunning were able to survive. In this manner nature provided a process of selection which made for a higher creature.

"The difference between man and beast lay in the quality of their social instincts. Both had the instinct of self-preservation, but man had a greater desire for companionship and the stronger tendency toward cooperation. These instincts united him with his fellowmen and caused him to construct society as a protection against the destructive forces of this struggle. Society was erected as a fortress to prevent man from being eliminated in the struggle for existence, not as an arena within which to continue the struggle to the death.

"The strong and the weak fought side by side against the common enemy. The strong man cast the stones and hurled the spears, but the weaker man gathered them up and stood watch. When the common enemy had been fought off, no doubt the stronger primitive man forgot the assistance he had received from the weaker, and said, "Look what I have done. Now you must submit to my rule or fight me to see who is fittest to survive." No doubt the weaker thought to himself, "Next time I shall let you fight alone."

"Many generations of men were destroyed because they failed to understand the fundamental principle of co-operation. Man rose to ascendancy over other animals only after sad experience taught him that the tests to determine which beasts are fittest to survive do not apply to determine the fitness of men to survive as members of a common society. In society there are tasks for the weak as well as the strong. If the weak do their part they are entitled to the protection of the strong and an equal share of the products of their joint efforts. Might and cunning are the tests to determine fitness between beasts, but between men the test is willingness to cooperate in the work and willingness to share the harvest of society equally with one's fellowmen.

"Man's ability to survive the struggle for existence was not due to his individual fitness. The strongest man could never have withstood this test. United with other men he accomplished what he could not have accomplished alone. It was mankind as society, and not man as an individual, that survived.

"The evolution of man has been gradual. Organized human society began when man was crude and ignorant, when he was scarcely less beast than man. The conflict between the instincts of the beast and those of the man still continue. The development of man's intellect has helped him grow more manly and less bestial, but even today, man is far from complete; traces of the lower animal remain and manhood is immature.

"At first the beast within him urged him to take every advantage of his fellowman. His human tendencies, yet

in their infancy, entered only a weak protest against these beastly impulses. The two natures, struggling within him, form the sources of the two conflicting philosophies which come down to us through the centuries. The one, dictated by brute strength and animal cunning argues the right of might, the right of the greedier to grasp the most; of the stronger to kill the weaker; of the "superior" to enslave the "inferior." The better nature of man argues for right based on justice, for the right of all to share and share alike; for the right of both weak and strong to live and be free.

"From the one nature developed the doctrine of inequality; from the other the philosophy of equality. Throughout the ages these two theories have struggled for acceptance in the minds of men. Inequality was the accepted creed while man was in the crudest stage. Equality has surged forward, hand in hand, with the growth of man's intelligence.

"Both these philosophies are reflected in the customs of man and the institutions of society. The champions of inequality argue that the combination of mankind in society does not alter the law of beasts that the strongest individual is still entitled to "all he can get." The advocates of equality say the purpose of society is to equalize the rights of all according to the principle of the brotherhood of man. The one argues the basis of government is the "divine right" of the mighty to rule the weak; the other believes in self-government, and states the true source of government is the consent of the governed. The one upholds the authority of the powerful to dictate laws which the weaker must obey; the other points to the laws of nature as patterns upon which human laws must be fashioned. The one insists upon acceptance of his doctrines by force; the other appeals to reason. The one claims superior rights; the other pleads for equal rights.

"The principle of human equality began with the beginning of man. History does not record when this law of nature was first discovered. Primitive man had little opportunity to consider his relationship to his fellow men. His immediate needs were urgent. Hunger, thirst, heat, cold, storm, drought and constant fear of other preying animals crowded the capacity of his dull wits. As he progressed, the united force of society protected the individual from his natural enemies and freed his mind for thoughts of the tomorrow. The realization of the certainties of the future should have caused him at once to seek equality with his fellowmen, but he was too ignorant to understand. Instead he learned only by the long, tortuous paths of cruel experience.

"The first slave, wincing under the whip of his master, expressed in his cries the voice of this philosophy. His enslavement cut more cruelly than the lash. Calling to his gods to deliver him from this injustice, he finally submitted to superior strength. He worked for the master because of necessity, not as an admission of his own inferiority. It was not his belief in equality that was destroyed, but his faith in his gods and his respect for his fellowmen.

"The first recorded attempt to bring about more equal conditions among men is contained in the Code of Khammurabi, King of Babylon. Over twenty-two hundred years before Christ, this social reformer caused laws protecting the weak, poor, widowed and orphaned, from the strong

and the rich, to be carved upon huge stones. Though this code recognized slavery and classes, and prescribed rules for submission and subservience to arbitrary authority, it was a vast improvement over government by force. It represents the earliest known attempt at social legislation.

"The first substantial pronouncement of the principle of equality was by the classic Greek philosophers. These men, wise beyond their generation, in their discussion and writings, sowed seeds of thought destined to ripen into the American philosophy. Protagorus (481-411 B. C.) recognized man's social tendencies and credited the beginning of human society to these natural instincts. He was one of a group of philosophers, known as the Sophists, whose open discussions produced a beginning of the theory of natural rights of man. It was from the Sophists that Socrates (469-399 B. C.) acquired a thirst for knowledge, which led him to the sound conclusion that all vice is the product of our ignorance. From Socrates in turn, came the inspiration of the Stoic philosophy which developed a century later.

"In 411 B.C., the Great Grecian playwright Euripides (480-406 B. C.) voiced through one of his characters the "self-evident truth" that "Equality is the natural law of man." Thus, over two thousand years before our Declaration of Independence, wise men had pronounced the fundamental principle of Americanism.

"Plato (427-347 B.C.) and Aristotle (384-322 B.C.) put many of these earlier philosophies into writing, and preserved them for future generations. Plato distinguished between the laws of man and the laws of nature, and wrote of equality as an ideal but unattainable principle of government.

"The greatest contribution by the Grecians to our American principles came from Zeno (342-270 B. C.), whose teachings formed the basis of the Stoic school of philosophy. These thinkers recognized that all men by nature were entitled to equal rights. They considered happiness as the ultimate aim of life; spoke of the common brotherhood of man, and went so far as to visualize its ultimate achievement in a universal state embracing all the peoples of the world with its great humanitarian principles.

"With the rise of Roman civilization parts of this philosophy were expressed by some of their political thinkers. Cicero (106-43 B. C.) developed many of the principles of democracy. He considered men as having been drawn together by their instincts to form society; looked to nature as the basis of law; and referred to the natural equal rights of man. His aristocratic background prevented him from following, as a politician, the principles he pronounced as a philosopher. However, the Roman Jurists, who followed in later years, put into practice some of Cicero's theories.

"In the less developed parts of the world, the Hebrew prophets had raised their voices against the enslavement of their race and the idolatrous worship of innate "superiors." They preached equality among men as a religious principle, and developed the fundamental doctrine of Jewish tradition, that man should look upon his neighbor as upon himself. This principle was given definite expression in the writings of the Jewish Rabbi Hillel (50 B. C.-10 A. D.), just before the beginning of the Christian era.

"The strongest impetus for the philosophy of equality came from the religious teachings of Christ, who preached equality as the basis of the brotherhood of man. This principle was applied to break down the barriers between king and people, master and servant, rich and poor. The Christian teaching was more than a religion, it extended into all human affairs, political, economic and social. The early Christians placed special emphasis upon equality as an economic principle. St. Paul, preaching to the Corinthians, advised them to share their abundance: "For I mean not that other men be eased, and ye burdened: But by an equality, that now at this time your abundance may be a supply for their want, that their abundance also may be a supply for your want; that there may be equality."

"For nearly a century the followers of Christ actually practiced their theory of economic equality by sharing all things in common. Private property was prohibited because of its tendency to produce inequality. Private ownership of land was considered particularly un-Christian. The early church Fathers preached: "How far, O rich do you extend your senseless avarice? Do you intend to be the sole inhabitants of the earth? . . . The earth was made for all, rich and poor, in common . . . Nature gave all things in common for the use of all; usurpation created private rights. Property hath no rights. The earth is the Lord's and we are his offspring. The pagans hold earth as property. They do blaspheme God."

"St. Augustine (354-430 A. D.) applied the doctrines of Christianity to government, and evolved the democratic principle that the authority of government rests on the consent of the governed. He predicted the ultimate end of inequalities among mankind, and anticipated the purpose for which America was to be established nearly fifteen hundred years later.

"About five hundred years after Christ, hordes of barbarians left the undeveloped parts of the earth, which they had occupied, and invaded the more developed portions. They crushed with brute force the civilizations built up through centuries of intelligent effort. A blight of decadence, known in history as the dark ages, settled over all Europe, and continued for nearly a thousand years thereafter. During this period there was no extension of pure philosophy. High ideals were distorted into tools by which scheming leaders gained power and wealth. Both state and church were saturated with greed and corruption. Fanatics and hypocrites twisted the Christian belief of equality into doctrines of inequality to support church organizations, and competed with governments for political supremacy. The dictators of the church pointed to "divine revelation" in support of their actions. The kings and emperors in turn hired their own philosophers to distort truth, and manufacture arguments to prove their "divine right" to exclusive dominion.

"The state and the church, carried on their ruthless competition without thought or regard for human rights. At times they conspired and exerted their combined force to crush the revolts of the people. The system of property ownership known as the Feudal system was used by both clergy and nobles to enslave the common people and exploit their labor. Centuries of intrigue, violence and bloodshed, passed before the world was able to untangle the

confusion of distorted religious, political and economic doctrines and produce some semblance of reason.

"The first clear concept of the philosophy of equality to emerge from this chaos was in the writings of St. Thomas Aquinas (1225-1274). He turned philosophic thought from "divine revelation" to an inquiry into nature through the aid of human reasoning. He identified the laws of nature with the will of God, and spoke of nature as the work of God from which man, with the aid of reason, could discover God's ordinances.

"The end of the middle ages came about through a gradual spread of knowledge and the development of the arts and sciences. Reasoning from nature became the basis of philosophy, instead of precedent and quibbling from interpretations of the scriptures. This produced a revival of the natural school to which our American philosophy belongs.

"Experiments in chemistry by Roger Bacon (12-10-1293), coupled with his imaginative predictions of the possibilities of science, gave new vision to the world. In retrospect his prophesies of steamships, automobiles and airplanes, five hundred years before their accomplishment, were indeed "revelations." The development of the art of printing with movable type hastened human progress through the general dissemination of learning. Discoveries in astronomy and physics gave man a better understanding of the earth on which he lived, and its relation to the universe. Copernicus, Kepler, and Galileo perfected the telescope, analyzed the movements of the heavenly bodies in their orbits, and reversed existing belief by announcing the revolution of the earth about the sun.

"Meanwhile revolts of the common people succeeded in obtaining some slight recognition of their rights. In England, the peasants were inspired to rebellion by the philosophies of John Wyclif (1320-1384), who sought to raise the standards of life for the lower classes. In his homely but forceful way, he preached the doctrine of economic and social equality, by asking the unanswerable question: "When Adam delved and Eve span, who was then the gentleman?"

"The fifteenth and sixteenth centuries were marked by a revival of the philosophy of equality, as the basis of direct attacks on monarchical government. Most effective were the writings of Richard Hooker (1553-1600). His works, written primarily as treatises on church government, developed the theories of political equality, so that a century later they were used, almost without change, as the basis for the writings of John Locke. Hooker's works were widely read in the American colonies prior to our Revolution. He wrote of men as "equals in nature"; of society as instituted for the "common good"; that "the public power of all society is above every soul contained in the same society"; that "laws human must be made according to the general laws of Nature"; that "to live by one man's will became the cause of all man's misery"; and to the theory of equal natural rights, he added the concept of natural duties, saying "to be loved by my equals in nature . . . imposeth upon me a natural duty of bearing to themward fully the like affection." These phrases were all destined to become part of our American philosophy.

"Toward the close of the seventeenth century, there were several important developments. Sir Isaac Newton, the great English physicist and astronomer, announced the laws of gravitation and the principles of motion. These definite laws of nature had been discovered by simple observation aided by mathematical calculation. They stimulated the method of reasoning from nature as a basis for other forms of learning.

"In 1688 a revolution in England deposed King James II, and placed William and Mary on the throne. This was a victory for limited monarchy over absolute monarchy. To justify this change in government, it was necessary to destroy the doctrine of "divine right." John Locke, following Newton's method of reasoning from nature, announced the theory of government by the consent of the governed and the principle of political equality. His efforts weakened the accepted belief in the "divine right of kings."

"Locke's writings provided the American colonists with the precise arguments needed for their revolution, less than a century later. As proof of this are the words of Samuel Adams that: "Mr. Locke has often been quoted in the present dispute between Britain and her colonies, and very much to our purpose. His reasoning is so forcible, that no one has even attempted to confute it." Substantial portions of the Declaration of Independence were composed of actual phrases found in Locke's "True End of Government."

"The influence of Locke carried over to the Continent and was reflected in the writings of Jean Jacques Rousseau and other eighteenth century French philosophers. The necessity for translation limited the reading of Rousseau's essays in America, but his forceful and radical statements influenced the thoughts of many of the colonists.

"While the theory of equality was developing throughout the world, natural forces of progress were bringing about, in reality, more equal conditions among men. Tools for cultivation and production were improved. Learning and knowledge were disseminated more widely. Better roads and means of communication brought the people closer together and tended to erase prejudice. Explorations in new lands and in the realms of science added to the world's resources. All this progress made for equality.

"A famous commentator, reviewing history over a period of seven hundred years, wrote: "The Crusades and the wars of the English decimated the nobles and divided their possessions; the erection of communes introduced an element of democratic liberty into the bosom of feudal monarchy; the invention of firearms equalized the serf and the noble on the field of battle; printing opened the same resources to the minds of all classes; the post was organized so as to bring the same information to the door of the poor man's cottage, and to the gate of the palace; and Protestantism proclaimed that all men are alike able to find the road to heaven. The discovery of America offered a thousand new paths to fortune, and placed riches and power within the reach of the adventurous and obscure."

"Conditions in the world were gradually improving, but much of the way was paved with bloodshed and destruction, for man learned only by bitter experience. In all these eras, the greatest of man's accomplishments was the

discovery of the natural law of human equality. This principle, although it is only intangible thought, marked the beginning of civilization. We need only accept its truth, realize its inevitable force and apply its simple principle to the laws and institutions of society in order to prevent human conflict and add to our happiness.

"The foundation of our empire was not laid in the gloomy age of ignorance and superstition; but at an epocha when the rights of mankind were better understood and more clearly defined than at any former period."

GEORGE WASHINGTON.

"The struggle for equality was carried over to a new battlefield, a new continent, America. Divine providence had saved half the earth for man to start anew, freed from the cumulation of his errors and self-erected inequalities. Here a condition of natural equality provided an opportunity for man to apply the knowledge he had gained through civilization, without heeding the precedents which, in the civilized world everywhere, dragged upon the coat-tails of his progress.

"The discovery of America is claimed by nearly every nation that ever sailed a ship, but it was the beginning of the sixteenth century before the attention of the civilized world was properly focused upon it. The voyages of Columbus began a march of explorations that prepared the way for the colonists to follow.

"The story of the colonization of America is a fitting prologue to the telling of its purpose. Both natures of man invited him to the new world. The quest for gold appealed to his lower instincts. Many early attempts at colonization owe their beginning to the incentive of greed. The history of these efforts is typical of the philosophy they represented. Disappointment, disagreements, untold hardships, cruelties and murder finally led to failure.

"The better nature of man summoned him to America in search of treasures richer than gold; his quest was for freedom, liberty and equality of rights. At the beginning, the motive was freedom from religious persecution; later, escape from political tyranny; and finally, opportunity for economic equality. The colonies established for these purposes gained firmer footholds. Hard ship, sickness and death took their toll, but the persistent devotion to these objectives gained ultimate success and account for a new people, known as Americans.

"The colonists immediately demonstrated that monarchy, though not forgotten, had been left behind, and that America was headed for democracy. The colony at Jamestown, Virginia, the first to take root in this country, adopted a representative form of assembly as early as 1619. Before the Pilgrims reached the shores of New England, they established a government upon "the consent of the governed." The Mayflower Compact in 1620, thus introduced a basic principle of political equality, and designated the proper source and authority of government. In 1638 this fundamental principle of democracy was voiced in the sermons of Thomas Hooker, a minister in Connecticut. The Fundamental Orders of Connecticut, adopted the following year, was the first of a series of written constitutions framed by the people for the people.

"Those who sought religious freedom had been compelled to appeal to the laws of nature, as against the laws of

England. The man-made edicts required obedience to the dictates of the state church, rather than to one's own conscience. In America the process was reversed, natural forces predominated. The mind was freed from conventional adherence to man-written scriptures and encouraged to reason from the work of the Creator. As a result, the writings of these early American religious leaders represented a curious mixture of quotations from the gospel and philosophy from nature. Frequently, the principles used to justify religious freedom applied equally to the political field, and played a prominent part in political thought just prior to the revolution.

"The desire of the early colonists for religious freedom was not entirely unselfish. Though they clamored for equality, they were frequently unwilling to accord an equal right to others. The banishment of Roger Williams, from the colony of Massachusetts, was an example of this intolerance. However, the principle of equality, intermingled with the Scriptures, was the basic premise of their argument.

"The eighteenth century found Europe still engaged in violent conflict for power. The common people, crushed between the imperialistic greed of the governing classes of their nations, sought haven in America. Left alone to the task of clearing the wilderness, the colonists had succeeded, without the aid of their parent government, and were producing beyond their immediate needs. America offered opportunity to immigration and a source of profit to the trade of the world.

"The British Government, then in control of wealthy property owners, was being used as an instrument to further their exploitations. The growing prosperity of the colonies tempted their greed. By restricting colonial trade to their merchants alone, the wealth of America could be systematically drained into their coffers. The war with France offered a patriotic excuse for acts of Parliament calculated to gain those ends. When, by the French and Indian Wars, the quarrel was transported to America, it not only excused restrictions on trade, but taxation for supporting troops, and incidentally helped to defray the burden of debt created by England's own wars in Europe.

"Historians, stating the causes of our Revolution, have stressed with too much emphasis the disagreement over taxation. It is true that greed for the hard earned wealth of the colonies motivated British aristocracy, but that which angered the American colonists was the affront to their ideals and beliefs. "It was the principle, of which the tax made but a part, and the quantity still less, that formed the ground on which America resisted."

"The mutual struggle of the colonists had taught them the real relationship of man to man. The ruggedness of America had inculcated in them a belief in natural equality. Their democratic institution of the town meeting encouraged thought, study, and discussion of the rights of man, and his relation to society and government. "Here the value of quality of liberty, the nature of government, and the dignity of man, were known and understood, and the attachment of the Americans to these principles produced the Revolution, as a natural and almost unavoidable consequence."

"The first serious difference between England and the

colonies was a question of liberty, not taxation. John Adams said he considered, "the argument concerning Writs of Assistance in the Superior Court . . . as the commencement of the controversy between Great Britain and America." He was referring to the argument of James Otis, in 1761, to the effect that the practice of issuing general search warrants constituted an infringement of liberty. Although Otis lost this argument, he continued his fight as a matter of principle. The following year Otis issued a pamphlet in which he named "equality" as the philosophic basis for the controversy which had now begun. Otis wrote, "1. God made all men naturally equal. 2. The ideas of earthly superiority, pre-eminence and grandeur, are educational, at least acquired, not innate. 3. Kings were (and plantation governors should be) made for the good of the people, and not the people for them."

"Not many years later, John Adams wrote that all the fundamental thoughts of our American philosophy were to be found in this pamphlet by James Otis; "How many volumes are concentrated in this little fugitive pamphlet, the production of a few hurried hours, . . . Look over the Declaration of Rights and Wrongs, issued by Congress in 1774. Look into the Declaration of Independence in 1776, . . . and to cap the climax, look into Mr. Thomas Paine's Common Sense, Crisis, and Rights of Man; what can you find that is not to be found in solid substance in this vindication of the House of Representatives."

"The discussion with England was revived with each new Act of Parliament directed against the colonies. Most of this legislation was taxation, as in the case of the Stamp Act, 1765. But the opposition was not a matter of dollars and cents. In the case of the tax on tea, the combined cost of tea and tax was less than the Englishman at home paid for his favorite beverage. The oratory of Patrick Henry was raised not against taxation, but against "taxation without representation." That which he resented was the infringement of human liberty.

"Both John and Samuel Adams viewed the actions of England as "a direct and formal design on foot to enslave all America . . . by the introduction of the canon and feudal law into America." Samuel Adams charged the royal governor of Massachusetts with a attempt to revive the feudal system which he declared was "contradictory to all principles that govern mankind."

"As the controversy progressed, the thoughts of the colonists approached more closely to a correct understanding of the real issue. There was no longer any question of taxation, nor even of the feudal system, but a question of equality of human rights. As early as 1770, James Wilson, a brilliant lawyer with a sound knowledge of the underlying principles of government, wrote a pamphlet, which he withheld from publication until 1774. In this he embodied most of the philosophic principles which Jefferson later set forth in the Declaration of Independence. The phrasing of one paragraph closely resembles the phrasing of the most important paragraph of the Declaration. Wilson wrote, "All men are, by nature, equal and free; no one has a right to any authority over another without his consent: all lawful government is founded on the consent of those who are subject to it: such consent was given with a view to ensure and to increase the happiness of the governed, above what they

could enjoy in an independent and unconnected state of nature. The consequence is, that the happiness of the society is the first law of every government."

"In 1774, the Continental Congress first assembled to debate the situation. Richard H. Lee, who two years later was to move for Independence, said, "I can't see why we should not lay our rights upon the broadest bottom, the ground of nature. Our ancestors found here no government. . . . Life and liberty, which is necessary for the security of life, cannot be given up when we enter into society." The Declaration of Grievances and Rights, adopted by Congress, followed this suggestion and began, in the same philosophic manner, "That the inhabitants of the English Colonies in North America, by the immutable laws of nature . . . have the following rights: That they are entitled to life, liberty and property and they have never ceded to any sovereign power whatever a right to dispose of either without their consent."

"By 1775, the disagreement had passed beyond the stage of debate. The King of England, like all believers in the doctrine of inequality, resorted to force. Though compelled to take up arms in self defense, the American colonists continued their appeal to reason, with the declaration "that Government was instituted to promote the Welfare of Mankind, and ought to be administered for the Attainment of that End."

"Throughout the colonial revolt the objective was reconciliation with representation, not separation. Only the most radical entertained the thought of independence, and few ever dared to voice it. The relationship between the American colonies and Great Britain had been strained from the termination of the French and Indian Wars, but none predicted the ultimate separation. Christopher Godsen is said to have made the suggestion as early as 1764. James Otis hinted at the possibility, in his writings about the same time. Both Samuel and John Adams were suspected of being sympathetic to the idea. Samuel Adams made one of the first threats of independence in an essay, "The Sons of Liberty," published in 1769. Patrick Henry mentioned independence in a public address in 1773, but Benjamin Franklin, in 1774 said, "I have never heard in any conversation of any person drunk or sober the least expression of a wish for separation from England." George Washington, about to take command of the colonial military forces said, relative to independence, "I am well satisfied that no such thing is desired by any thinking man in all North America."

"When delegates from the colonies met in Philadelphia, at the Continental Congress, there was no discussion of independence, but quite the reverse; allegiance was pledged to the King of England. Years later John Adams wrote; "In the Congress of 1774, there was not one member, except Patrick Henry, who appeared to me sensible of the precipice, or rather the pinnacle on which we stood, and had candor and courage enough to acknowledge it."

"By 1775 the colonies were in a state of open rebellion, but not revolution. The massacre at Lexington, like all demonstrations of force, reacted against the British and gained sympathy for the cause of independence. In May, a group of citizens of Mecklenburg County, North Carolina, passed resolutions, which were said to have been followed by a Declaration of Independence. But John Adams and Jefferson, who were living when this claim was made,

in 1819, denied ever having heard of any Mecklenburg Declaration of Independence, and expressed doubt as to its legitimacy."

"By the summer of 1775, the colonies were engaged in open hostilities with the British troops. "The Declaration on Taking Arms," adopted by Congress, July 6, 1775, also contained a declaration of allegiance to the King. The wise old philosopher, Benjamin Franklin, was by that time speaking of his English friends as "enemies," and recognized reconciliation was "hopeless." By December he was endeavoring to sound out the courts of Continental Europe to ascertain if assistance could be obtained for America in its struggle for Independence.

"Jefferson was still loyal, but was chafing under the insults of England. He wrote to a friend; "I am one of those, who, rather than submit to the rights of legislation for us, assumed by the British Parliament, and which late experience has shown they will so cruelly exercise, would lend my hand to sink the whole island in the ocean."

"The cause of independence was still unpopular as late as the fall of 1775, when the assemblies of the various colonies convened. Most of them had instructed their representatives in Congress to reject any proposition of independence. The spark destined to touch off the revolution was yet to gleam.

"In April of 1774, a certain collector of revenue in the British Excise Department was discharged from his job. This every day occurrence dislodged a force destined to span the Atlantic and weld the scattered feeling of discontent into a spirit of righteous revolution. The man discharged was Thomas Paine. A noted political writer later commented upon this trivial incident as follows: "A little thing sometimes produces a great effect; . . . insults, offered to Mr. Paine while he was in the Excise in England, was the real cause of the Revolution in America; for, though the nature of the cause of America was such as I have before described it; though the principles were firm in the minds of the people of that country; still, it was Mr. Paine, and Paine alone who brought those principles into action."

"Paine arrived in America, November 30, 1774. He carried an introduction from Benjamin Franklin which described him as "an ingenious worthy young man." John Adams tells of Paine's arrival as follows: "In the course of this winter appeared a phenomenon in Philadelphia, a disastrous meteor I mean Thomas Paine." From that moment, events in the colonies moved more rapidly. "I thought it very hard," wrote Paine to Franklin sometime later, "to have the country set on fire about my ears almost the moment I got into it." But this was hardly a coincidence, for Thomas Paine, himself, was the torch that set off the conflagration. Up to that time Paine had written little and published nothing. He later admitted, "It was the cause of America which made me an author."

"In October 1775, Paine wrote an article in which he recounted the wrongs and horrors of slavery, and added: "When I reflect on these, I hesitate not for a moment to believe that the Almighty will finally separate America from Britain. Call it independence or what you will, if it is the cause of God and Humanity it will go on." Jefferson's conversion to independence was completed about this time. He then wrote: "We want neither in-

ducement nor power, to declare and assert a separation. It is will alone which is wanting, and that is growing apace under the fostering hand of our King."

"Paine was about to supply this will, for he was busy preparing his famous pamphlet, "Common Sense." John Adams said, "Dr. Rush put him upon writing on the subject . . . and gave him his title of Common Sense." Another writer said, "There is good reason to believe that Dr. Franklin had no inconsiderable share at least in furnishing material for this work." Finally it was finished, but according to Benjamin Rush, it was difficult to secure "a printer who had boldness enough to publish it."

"Common Sense" made its appearance in Philadelphia, on January 10, 1776. Immediately the country was swept by its sentiments. Demands poured in from all parts of the colonies for copies. In a short time more than five hundred thousand pamphlets had been sold. No publication, up to that time, had ever reached this proportion. It was read by nearly every literate person throughout the sparsely settled colonies.

"Paine addressed his "acute human reasoning" to the intelligence of "the inhabitants of America." He delved into the origin of government, and named the security and happiness of the governed as the end for which it was designed. His premise was that men were "originally equal in the order of creation," hence he questioned the validity of monarchy and hereditary succession. "The present state of American affairs," Paine said, was "not the concern of a day, a year or an age; posterity are virtually involved in the contest, and will be more or less affected even to the end of time." Stating it was "time to part," Paine called for a Declaration of Independence. He followed this with a detailed suggestion of a form of representative government, and pointed to the ability of America to sustain its position against the world. He ended with an appeal for the rights of mankind, and free and independent states of America.

"The style as well as the subject matter of this little pamphlet won immediate recognition. Jefferson appraised Paine's skill in these words, "No writer has exceeded Paine in ease and familiarity of style, in perspicuity of expression, happiness of elucidation, and in simple and unassuming language. In this he may be compared with Dr. Franklin; and indeed his "Common Sense" was, for a while, believed to have been written by Dr. Franklin, and published under the borrowed name of Paine, who had come over with him from England."

"It was "Common Sense" that swung the tide of public sentiment to independence. George Washington can be named among its converts to this cause. There is no known statement or writing of Washington, either public or confidential, in favor of Independence prior to a letter written by him a few weeks after this publication, when he wrote: "A few more of such flaming arguments as were exhibited at Falmouth and Norfolk, added to the sound doctrine and unanswerable reasoning contained in the pamphlet "Common Sense," will not leave numbers at a loss to decide upon the propriety of a separation."

"This work alone earned for Paine a most prominent place in America's history, which he never received. John Adams wrote, "History is to ascribe to Paine the Revolution." Samuel Adams, in a letter to Paine, later wrote, "I have frequently with pleasure reflected on your services to my native and your adopted country. Your

"Common Sense," and your "Crisis," unquestionably awakened the public mind, and led the people loudly to call for a declaration of our national independence. I therefore esteemed you as a warm friend to the liberty and lasting welfare of the human race." Madison spoke of Paine as "the man, whose writings have so much contributed to enforce and foster the spirit of independence in the people of America." Lafayette said, "To me America without Thomas Paine is unthinkable." A contemporary historian said, "that the great American cause owed as much to the pen of Paine as the sword of Washington."

"Common Sense" had drawn the lines clearly. It was no longer a petty quarrel over taxes, nor even a dispute over the division of economic spoils. The writing of Paine "raised the struggle above the paltriness of a rebellion against taxation to a great human movement—a war for an ideal" The question became one of vital principle, between the false doctrine of "Divine Right" of a few and the true philosophy of the equal rights of all. "The cause of America," as Paine correctly stated, was "the course of all mankind."

Mr. JASPAN. Mr. President, may I yield the floor to Senator Dent for a few minutes? Some of my colleagues want to talk to me.

The PRESIDING OFFICER. There being no objection, leave is granted.

Mr. DENT. I will continue, Mr. President, from the point where my colleague from Philadelphia left off, page 38:

"Great movements of democracy grow slowly at the start. Like smoldering fire they remain hidden a long time; merely glowing, but spreading all the while. Finally some tiny spark, more daring than the rest, breaks through its confines and bursts into flame. It springs into the air, and with vast strides leaps from place to place, rapidly accelerating its pace. Once democracy makes its way to the free air of open discussion, all is consumed in a brief moment by the general conflagration of its sound human sentiments.

"The first great conquest of democracy came to a climax in our revolution. But its principles had smoldered for centuries within the brains of the wisest men. The spark, more grave than the rest, which set it off was Thomas Paine. The burst of flame was his brilliant "Common Sense." The consuming fire of human sentiment was the American Declaration of Independence.

"Future movements of democracy will demonstrate these same traits. Both friends and foes of democracy can learn from a study of these characteristics. Its friends will learn not to be disheartened at the slow but steady beginning. Its enemies, who stand above the rest on a mountain of inequalities, will know from the first rumblings that their perch is a volcano and be ready to run for their lives.

"From the issuance of Paine's pamphlet, the colonies were seething with revolution. If the private conversations of that period could be broadcast for the ears of the present generation, we would learn much to our advantage. We would hear the true meaning of American principles and know America's purpose.

"No doubt at that time, Jefferson was reading deeply into the philosophy of the rights of man. James Wilson,

with his trained legal mind, was considering the fundamentals of government. It is probable that Dr. Franklin introduced his friend Thomas Paine to Thomas Jefferson and said, "You two should get together, for you are of the same mind." We know that John Adams did not fully agree with Paine's "Common Sense," and replied with his "Thoughts on Government"; that he sought a conversation with Paine, and that their only point of agreement was the necessity for independence.

"Up to the beginning of the year 1776, there had been no official action in Congress looking forward to independence. The first indication of this move appeared in a report of a committee to prepare an "Address to the Inhabitants of the Colonies," reported in Congress on February the 13th. The draft was in the handwriting of James Wilson, and displayed the characteristic depth of his knowledge of government. It said, "That all Power was originally in the People—that all the Powers of Government are derived from them—that all Power, which they have not disposed of still continues theirs—are Maxims of the English Constitutions, which, we presume, will not be disputed."

Mr. DENT. Mr. President, I now yield to the gentleman from Philadelphia, Senator Jaspán.

Mr. JASPAN. Mr. President, I have been given to understand by the Chairman of the Republican Caucus that they desire to recess for about an hour or so in view of dinner arrangements previously made. I, however, am not yielding the floor. That is the understanding with me—I do not know whether he has taken it up with the others.

The PRESIDING OFFICER. The Chair has heard no motion that the Senate recess. The gentleman from Philadelphia will proceed.

Mr. JASPAN. All right, Sir, I will proceed.

Mr. DENT. Mr. President, I suggest that during the conference—apparently the gentleman wish to indulge in a conference, and I will hold the floor, with permission of the Chair, until the gentleman from Philadelphia finishes his conference.

The PRESIDING OFFICER. The gentleman from Westmoreland has the floor; he may proceed.

Mr. DENT. Is it possible under the rules, Mr. President, to be at ease for a moment?

The PRESIDING OFFICER. It is possible that the Senate be at ease.

Mr. DENT. Mr. President, I ask that we be at ease for just one moment.

(The Senate was at ease.)

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Jaspán.

Mr. JASPAN. Mr. President and gentlemen of the Senate, in view of requests made by members of both sides who have made previous arrangements, and I do not want to stand in the way of any engagements they have made I understand arrangements have been made for dinners, guests are going to be there and I think decency dictates that I call off any further discussion on these bills. I think that I have gained my point and I have brought out that the Democratic party is absolutely opposed to the principles of these bills and gone on record as such and we hope, if by chance the Legislature does vote for them, that the Governor will veto

them, because I consider them punitive measures and Governor Duff has gone on record as saying that they are punitive measures.

Again I repeat that out of respect for the members on both sides who have made previous engagements I do not desire to debate the question any further.

Mr. HOLLAND. Mr. President, the attempt of a reactionary big business and its senatorial collaborators to sell the idea of government domination and control as a means to industrial peace is an insult to the intelligence of the American worker.

According to Republican administration leaders and the Pennsylvania Manufacturers Association, the present anti-labor program embodied in these Republican anti-labor bills is the result of a mandate given to the Republican party in the election last November, to crack down on unions and to place the entire organized labor movement in a straightjacket of punitive and restrictive legislation. Further, we are told by the official Republican Administration leaders that the prohibitions and restrictions on trade unions in these bills are in complete harmony with the labor policy of the Republican party.

These premises are completely false. Let us look at this so-called mandate from the people. What evidence is there that the Republican party, which was successful in gaining control of both the House of Representatives and the Senate last November, campaigned on the basis that it was going to eliminate the closed shop; outlaw union welfare funds; or bring back government by injunction? What evidence is there that the Republican party went to the people with the promise to undermine and weaken trade unions by every legislative device that the Pennsylvania Manufacturers Association could conceive?

Did any responsible representative of the Republican party inform the voters prior to last November's election that the services of lawyers representing the Pennsylvania Manufacturers Association would be utilized, should they be utilized, to write anti-labor laws for the Republican administration?

Did Senator Heyburn, or any other responsible spokesman for the Republican party, tell the voters that the Republican leadership in the Senate would write anti-labor laws along lines suggested by employers?

Senator Heyburn has admitted that his bill contained three-quarters of the matters strenuously pressed upon him by the Philadelphia Chamber of Commerce.

But I can not recall the American voter being told prior to last November's election that employers were going to be allowed to dictate legislation to control the lives of workers. If there was a mandate to enact legislation such as that proposed by the Republican program, it must have been a secret mandate. I am sure the great mass of the voters who went to the polls last election knew nothing of such mandate.

There is evidence that the vote last year of the American electorate was a protest against the very type of regimentation and control which the anti-labor bills now seek to impose on labor. It was a protest against the failure of the administration and Congress to provide adequate housing so vitally needed by millions of Americans. It was a protest against the complete in-

ability of Congress and the administration to do anything when the country's meat producers went on strike against the American people. It was above all a protest against the higher and ever higher prices for the necessities of life that were daily reducing the real wages of those who work for wages.

Mr. Carroll Reece, Chairman of the Republican National Committee, made the following statement on a nation-wide radio broadcast ten days before election—and I quote:

"The Republican party stands unalterably for the American enterprise system of free labor and free management—the system which has made the American standard of living the highest in the world."

Well, there are no indications from this statement, nor from anything else that happened during the campaign, that the Republican party sought or expected a mandate to enslave labor as Mr. Heyburn and Mr. Kephart now propose.

Now, let me take up the second contention—the contention of Republican spokesmen in this Senate that the anti-labor program represents the official policy of the Republican party.

I believe that this is of tremendous importance. Everyone who works for a living should understand the implication of this effort to convince the American people that the Republican administration in Harrisburg are following party policy when they attempt to place on the statute books laws which would weaken and eventually destroy trade unions in this state. This contention is inherent in the position taken by Senator Berger, who is Chairman of the Republican dominated Labor Industrial Committee in the Senate.

The question naturally arises—what is the labor policy of the Republican party? Is it the policy of the Pennsylvania Manufacturers Association and the Philadelphia Chambers of Commerce, or is it the policy laid down by the delegates attending the last National Republican Party convention in 1944?

At that time, when they selected their candidates for president and vice-president of the United States, the delegates adopted a platform containing the following principles on labor. I am now quoting from the Republican Platform of 1944:

"The Republican party is the historical champion of free labor. Under Republican administrations American manufacturing developed, and American workers attained the most progressive standards of living of any workers in the world. Now the nation owes these workers a debt of gratitude for their magnificent productive effort in support of the war."

The platform went on to declare that "The Republican party accepts the purposes of the National Labor Relations Act" and promised a fair and just administration of that basic law which these anti-labor bills now proposes to repeal.

Remember, this is from the official platform of the Republican party, a platform never since changed, a platform on which it sought the support of the American people in the last presidential election.

Governor Thomas E. Dewey, the Republican candidate for the presidency selected at that convention, developed the party's policy toward labor in the ensuing campaign.

In his speech at Seattle, Washington, Governor Dewey, who was then and still is the titular head of the party, said:

"The National Labor Relations Act is a good and necessary law. It acknowledges the trend of our times and will continue to be the law of the land."

In January of 1945, addressing the New York State Legislature, Governor Dewey stated:

"The hard won rights of labor which are a cornerstone of economic freedom, must be preserved and strengthened as I have indicated."

On January 1st of this year, again addressing the Legislature, Governor Dewey made this statement in regard to maintaining constitutional liberty for all, and again I quote:

"When we chip away at the rights of a minority, we chip away at the rights of all of us. When we seek to reach an end by limiting the freedom of one group we undermine the freedom of every group. And it makes no difference whether that group be religious or racial, agricultural or business, factory workers or doctors. When, to cure one evil, we establish another, we are bringing ourselves ever closer to the abyss."

One week later, on January 8, 1947—just four months ago—Governor Dewey set forth the labor policy of his administration in the following words:

"The labor policy of the state rests on a maximum of voluntary mediation and a minimum of government compulsion. This policy has promoted free collective bargaining. It has been widely successful in preventing strikes and violence. We propose to continue this policy."

So, even a casual examination of the record gives the lie to any contention made that the Republican administration anti-labor bills and the Pennsylvania Manufacturers Association program of repression and restriction against labor represents the official policy of the Republican party.

What it does represent, however, is quite clear. It represents practically word for word the official position of the Pennsylvania Manufacturers Association, as proclaimed in the leading newspapers of the country through the medium of paid advertisements. But the question naturally arises, in view of the actions of the official Republican spokesmen in this Senate: has the Republican party one policy on labor which it presents to the American people when it is seeking votes, and another policy after it has been successful in taking control of the legislative branches of the government in Harrisburg?

These spokesmen for the Republican party in Harrisburg must have a very low estimate of the intelligence of American workers. In addition, they must be convinced that the wageearners of the nation have very short memories. Surely, they must know that the workers of America, at least all of them who are over thirty years of age, remember quite vividly the late twenties and early thirties. If the Republican state administration and the Pennsylvania Manufacturers Association desire to forget those days, I can assure them that the workers do not forget. Those were the boom days. Profits, profits and ever higher profits—new millionaires every day. Those were the days of Collidge and Hoover prosperity, but, unfortunately, they were the days of bust as well as boom.

I am sure that there are still people in America who remember 1932. After twelve years of Republican control of Congress and of the executive branch of our government, depression hung heavy over the nation. Deflation had forced prices and wages down; workers in the mass production industries were completely unorganized and badly underpaid. Banks collapsing daily; thirteen million people unemployed; apple sellers at every corner; thousands upon thousands of veterans homeless; breadlines the order of the day. I am sure that labor remembers those days. We remember the end of an era of government by big business and big politics and the only comfort we could get from the architects of our ruin was the assurance that prosperity was just around the corner.

Labor in those days was fighting to keep children in school until they were at least fourteen years of age so that they would not be competing for the jobs held by their fathers. We were fighting then for compensation for those who were injured and the dependents of those who were killed in industry. We were fighting then for a system of minimum wages and maximum hours. We were fighting then for unemployment insurance and for old age pensions for those who had grown old in the service of industry. Did we receive any aid or cooperation in these efforts from the Pennsylvania Manufacturers Association and the political reactionaries who had done their bidding for twelve years prior to 1932? No. On the contrary the Pennsylvania Manufacturers Association then, as now, consistently opposed every effort to better the lot of the nation's wage earners.

It seems that the Pennsylvania Manufacturers Association and its friends in the General Assembly would like to bring back the good old days of boom and bust. In order to do so, they must first destroy and eliminate the hard won gains which organized labor has made over the years. Labor must be weakened. Labor must be more amenable. Labor must be responsive to its masters and present less interference to the efforts of big business to get more and more cream out of things we produce. Well, labor is not going to be fooled by the Pennsylvania Manufacturers Association. Labor is not going to lie down and allow them to take over again. Labor will fight with every legitimate weapon at its command to preserve the system which has brought the standard of American life to the high point where it is today.

Mr. TARR. Mr. President, this Bill No. 826, is a negative bill in that it lowers the status of Pennsylvania's teachers to the level of the indentured servants first brought to this country in the early eighteen hundreds to teach pauper children, pauperized through no fault of their own.

The Senate proposes, with this bill, to shackle those who have always been proud of their academic freedom—freedom to speak the truth and encourage, unafraid, the search for truth. Is it the Senate's thought that we will now control thought in the class-room. It so, certainly many thousands died in the late war for an alien philosophy to which I as an American can not subscribe.

At the dawn of history, the first great teacher, a Nazarene, stood on trial in the same fashion as these teachers today, not judged by an impartial judge or jury,

but one biased, and told what the decision would be. When that Judge, Pontius Pilate, passed sentence on that teacher, he called for a basin of water to cleanse his hands as a gesture of feigned innocence.

I would advise the members of this Senate voting on this measure to call for the water basin for the same purpose.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 230, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in an unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain person engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members employment to use membership qualifications as a means of limiting the number of employes available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing.

Whereas Many veterans have returned home from World War II with a knowledge of new skills and trades and others of our people have acquired skills and trades at public and private educational institutions and others without any special knowledge desire to acquire a skill in a trade and

Whereas All of these and perhaps others not enumerated above desire to work and are entitled to an opportunity to do so and to procure gainful employment in a trade or industry and

Whereas They are frequently prevented by closed shop agreements made by labor organizations with employers under which employers cannot hire them and by practices of labor organizations which deny them membership in such organizations and

Whereas Such practices include excessive initiation fees experience qualifications and arbitrary limitations on membership so as to increase the amount of work available for members and

Whereas Such practices are undemocratic and monopolistic they cannot exist side by side with free enterprise

they are opposed to the fundamental rights set forth our Constitution that "All men are born equally free independent and have certain inherent and indefeasible rights among which are those of enjoying and defending life and liberty of acquiring possessing and proving property and reputation and of pursuing their own happiness"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section Five of the act approved the first of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively create the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State Government and parts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a subpoena the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas petition of any person aggrieved by such order and publishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board precluding certain penalties."

Section 5 Rights of Employees (a) Employees shall have the right to self-organization to form join or assist labor organizations to bargain collectively through representatives of their own choosing and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection

(b) Membership in any labor organization having a closed shop agreement in the business or industry in which it is the bargaining agent or in the trade or craft in which it is the bargaining agent shall be open to any person willing and qualified by experience or training to engage or engaging in the trade craft business or industry in which such closed shop agreement exists and ready and willing to comply with reasonable regulations uniformly required as a condition of acquiring or retaining membership

Section 2 Subsection (2) of section six of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby amended by adding at the end thereof five new clauses as follows

Section 6 Unfair Labor Practices

(1) It shall be an unfair labor practice for a labor organization of any officer or officers of a labor organization or any agent or agents of a labor organization or anyone acting in the interest of a labor organization or for an employee or for employees acting in concert

(2) In the case of a labor organization having a closed shop agreement to deny membership to any person or to refuse the right to membership of any person by any constitutional or by-law prescription regulation practice or agreement among its members or otherwise Provided That such person or applicant for membership is willing in or is in good faith willing and qualified by experience or training to engage in the trade craft business or industry in which such closed shop agreement

exists and is ready and willing to comply with reasonable regulations uniformly required as a condition of acquiring or retaining membership

(e) To limit or restrain employment or the number of skilled specialized apprentice or general employees available for employment by denying membership in such labor organization

(f) To impose any experience qualification requirements as a condition to membership other than reasonable apprenticeship

(g) To impose an initiation fee of more than twenty-five dollars (\$25) as a condition to membership

(h) To discriminate against any member in connection with current or future employment

(i) To operate or conduct "hiring halls" or other employment or placement services in such manner as to coerce intimidate or direct employers to employ persons recommended or approved by such labor organizations or to otherwise interfere with the employer's right to employ persons of his own choosing

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Willson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 280, as follows:

An Act relating to relations between employers and employees creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Industrial Peace Act"

This act shall be deemed an exercise of the police power of the Commonwealth of Pennsylvania for the protection of the public welfare prosperity health and peace of the people of the Commonwealth

Section 2 Definitions Unless the language or context clearly indicates that a different meaning is intended the following words terms and phrases for the purposes of this act shall be given the meanings subjoined to them

(1) "Person" includes individuals partnerships associations corporations trustees trustees in bankruptcy receivers and legal representatives

(2) "Employer" includes any person acting directly or indirectly in the interest of an employer whether interstate or intra-state in character including hospitals colleges schools or other non-profit institutions or services employing others but does not include any person subject to the Federal Railway Labor Act as amended from time to time The United States or the Commonwealth or any political subdivision thereof or any authority or the public school system or any public utility employers engaged in rendering electric gas or water services to the public

(3) "Employee" includes in addition to the accepted or other legal definition of the word any employee whose work has ceased because of any unfair labor practice as defined in section six of the Pennsylvania Labor Relations Act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) as amended on the part of the employer or because of any current labor dispute and who has not obtained other regular and substantially equivalent employment but shall not include (1) any individual employed in agricultural labor or by his parent or spouse or in domestic service of any person at his own home or (2) any supervisory employees having the authority to hire promote advance demote or discharge other employees or to effectively recommend the same or confidential secretaries or employees engaged in personnel or industrial relations or other confidential activities whether supervisors or not or (3) any employees subject to the federal railway labor act as amended from time to time or (4) any employees of the United States or any political subdivision thereof or any authority or the public school system or (5) any employees of public utilities engaged in rendering electric gas or water services to the public

(4) "Representative of employees" means a labor organization of one or more individuals selected or designated by a group of employees as provided by law

(5) "Labor organization" means any organization of any kind or any agency or employee representation committee or plan in which employees participate and which exists for the purpose in whole or in part of dealing with employers concerning grievances labor disputes wages rates of pay hours of employment or conditions of work

(6) "Labor dispute" includes any controversy concerning employment tenure or conditions or terms of employment or concerning the association or right of representation of persons in negotiating fixing maintaining changing or seeking to arrange terms tenure or other conditions of employment regardless of whether or not the relationship of employer and employee exists as to the disputants

(7) "Strike" means the temporary stoppage of work

or slowdown by the concerted action of two or more employees as a result of a labor dispute

(8) "Lockout" is the refusal of the employer to furnish work to employees as a means of coercion because of a labor dispute

(9) "Competent evidence" means evidence admissible in a court of equity and such other evidence other than hearsay as is relevant and material to the issue and is of such character that it would be accepted by reasonable men as worthy of belief

Section 3 Division of Conciliation There is hereby established in the Department of Labor and Industry a Division of Conciliation This division shall be under the supervision and control of a Labor Conciliator who shall be appointed by the Governor with the advice and consent of the Senate He shall hold office for a term of four (4) years and receive an annual salary of ten thousand dollars (\$10,000) The term of the first Labor Conciliator hereunder shall expire on the first day of March one thousand nine hundred fifty-one The Labor Conciliator may from time to time appoint deputies special conciliators from the roster hereinafter provided for to aid in the settlement of particular labor disputes or controversies Such special conciliators when appointed shall with respect to said dispute have the same power and authority as the Labor Conciliator Such appointment shall be for the duration only of the particular dispute Such special conciliators shall be paid a per diem rate fixed by the Labor Conciliator and approved by the Governor while so engaged and their necessary expenses The Labor Conciliator shall prepare on the basis of recommendations received from a Labor-Management Advisory Committee appointed by him and composed of twelve (12) members with equal representation from labor and management a roster of persons qualified to act as such special conciliators and keep the same revised at all times and available to the Governor and the public

Two (2) of each of the original labor and management representatives of the Labor-Management Advisory Committee shall be appointed for a term of one (1) year two (2) of each for a term of two (2) years and two (2) of each for a term of three (3) years but their successors shall be appointed for terms of three (3) years each except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member he is to succeed Members of the Labor Management Advisory Committee shall be reimbursed for actual and necessary expenses incurred in attending meetings called by the Labor Conciliator

The Labor Conciliator may employ and discharge clerks and other assistants as needed fix their compensation and assign their duties

Section 4 Expenses The Labor Conciliator and his employees or any special conciliator shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties in accordance with the provisions of section two hundred sixteen of the Administrative Code of 1929

Section 5 Rules and Regulations For Hearing The Labor Conciliator shall adopt reasonable and proper rules and regulations relative to and regulating the conduct of the hearings Such rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing Provided That every such rule or regulation shall be filed with the Secretary of Labor and Industry and any change therein or additions thereto shall not take effect until thirty (30) days after such filing

Section 6 Labor Disputes (a) It is the public policy of the Commonwealth that operations in any business or industry shall not be interrupted as a result of any labor dispute Any employees or representatives of employees or labor organization in such industry or business desiring to negotiate a collective bargaining agreement or to make any change in an existing agreement or desiring any change in the rates of pay or working conditions in any place of employment shall unless otherwise provided by

written agreement of the parties give written notice to employer of such desire at least thirty (30) days or thereto within such period it shall be the duty of employer and the representative of the employees or organization to endeavor in good faith to reach an agreement respecting such request An employer shall give written notice to his employees representative or labor organization of any intended change in any existing agreement b) If at the end of such thirty days period or other agreed period during which period no strike or lockout shall be instituted or permitted there remains a controversy or dispute between or amongst the parties and if the parties have not theretofore voluntarily and jointly sought conciliation assistance or if the parties have not reached agreement for voluntary arbitration either party may petition the Governor at his discretion may notify the Labor Conciliator by registered mail of the nature and status of the negotiations The Labor Conciliator shall upon receipt of such notice have jurisdiction over the dispute and shall take action to endeavor to resolve the dispute It shall be the duty of each of the parties to respond to the summons of the Labor Conciliator or deputy conciliator for joint or several conferences with him and to continue in such conference until excused The Labor Conciliator will have the prerogative to designate to act in his place as his special deputy a previously registered and properly certified community agency which through experience and composition is qualified to serve in this capacity If the Labor Conciliator shall ascertain that an agent in said dispute or controversy is the question of majority status or right to be the representative the Labor Conciliator shall immediately certify that phase of the dispute over to the Pennsylvania Labor Relations Board for determination according to law

c) It shall be unlawful for any labor organization or representative or employee or any other person to instigate or aid in the conduct of a strike or for an employer to institute a lockout unless the conditions hereinafter provided for shall be fully complied with If no agreement or settlement of the dispute is reached at the expiration of thirty days after the Labor Conciliator has taken jurisdiction and the Pennsylvania Labor Relations Board has determined any disputes or controversies certified to it by the Labor Conciliator under this section or dispute or controversy as to the question of majority status or right has been pending before the National Labor Relations Board for sixty days either party who may or at any later date desires to institute a strike or lockout shall give a written notice of such intention to the Labor Conciliator No lockout shall be instituted by an employer until the expiration of thirty days after giving of said notice Immediately upon the receipt of strike notice the Labor Conciliator shall certify the dispute over to the Pennsylvania Labor Relations Board which shall within a period of ten days conduct a secret ballot among the employees in the bargaining unit involved in which vote shall be held in the immediate vicinity of the employees' entrances The said Board shall announce the results of the election by written order and no strike shall be instituted or permitted by any labor organization representative employee or any other person unless a majority of all the employees in said unit vote therein in a majority of those voting vote in favor thereof and ten days have elapsed from the issuance of the order of the Board

Section 7 Resubmission to Pennsylvania Labor Relations Board At any time during the existence of a strike the Labor Conciliator may at his discretion certify the dispute over to the Pennsylvania Labor Relations Board to conduct a secret ballot among the employees within the involved unit in the immediate vicinity of such employees' entrances on the question of continuing the strike or returning to work If a majority of all the employees in the involved unit vote therein and a majority of those voting to return to work they shall be permitted to do so if the employer is willing without interference by any labor organization representative employee or any other person

Such interference shall constitute an Unfair Labor Practice as defined in subsection three of section six of the Pennsylvania Labor Relations Act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) as amended

Section 8 Arbitration (a) When a labor dispute arises which is not settled by conciliation such dispute may by written agreement of the parties be submitted to arbitration on such terms as the parties may specify including methods prescribed by contract and arbitration under the voluntary industrial tribunal of the American Arbitration Association If any such agreement so provides the Labor Conciliator may act as a member of any arbitration tribunal created by any such agreement and if the agreement so provides the Conciliator may appoint one or more arbitrators such arbitrators to be chosen from a roster of persons prepared by the Labor Conciliator on the basis of recommendations received from his Labor-Management Advisory Committee The Labor Conciliator shall keep this roster of qualified arbitrators revised at all times and available to the Governor and the public Either or both parties to any such agreement or any arbitration tribunal created under any such agreement may apply to the conciliator to have the tribunal designated as a temporary arbitration tribunal and if so designated the temporary arbitration tribunal shall have power to administer oaths to witnesses and to issue subpoenas for the attendance of witnesses and the production of evidence Any such temporary arbitration tribunal shall file with the conciliator a copy of its report duly certified by its chairman The conciliator shall serve a certified copy thereof by registered mail upon each party

(b) In case of contumacy or refusal to obey a subpoena issued under subsection (a) of this section on application by the temporary arbitration tribunal the court of common pleas for the county where the proceeding is pending or in which the person guilty of such contumacy or refusal to obey is found or resides or transacts business shall have jurisdiction to issue an order requiring such a person to appear before the temporary arbitration tribunal to produce evidence as ordered or to give testimony touching the matter under investigation or in question failure to obey such order of the court may be punished by the court as a contempt

(c) In no case involving wages shall an award of an arbitrator or arbitration tribunal unless otherwise provided by written agreement between the parties or by them made a condition of the arbitration or judgment of the court become retroactive beyond the date the aggrieved employee representative or labor organization filed a formal complaint with the employer nor shall interest or damages be assessed

(d) Nothing contained herein shall prohibit an arbitrator or an arbitration tribunal to fix a date at which retroactivity of wages shall be set but in no case shall such date be retroactive beyond the date that formal complaint is filed with the employer except as above provided

Section 9 Procedure for Determination of Jurisdictional Controversies Whenever two (2) or more labor organizations adversely claim for themselves or their members jurisdiction over certain classifications of work to be done for any employer or in any industry or over the persons engaged in or performing such work and such jurisdictional interference or dispute is made the ground for picketing an employer or declaring a strike or boycott against him the Labor Conciliator through notification from either the labor organizations or the employer concerned shall hear and determine the jurisdictional controversy. If the labor organizations involved in the controversy have an agreement between themselves defining their respective jurisdictions or if they are affiliated with the same labor federation or organization which has by charters granted to the contender organizations limited their jurisdiction the Labor Conciliator (or his duly appointed deputy) shall determine the controversy in accordance with the proper construction of the agreement

or of the provisions of the charters of the contending organizations. If the labor organizations involved in the controversy so desire they may submit the controversy to a tribunal of the federation or labor organization which has granted their charters or to arbitration before a tribunal selected by themselves provided the controversy is so submitted prior to intervention by the Labor Conciliator to act in the controversy and any strike picketing or boycott is discontinued after such submission.

Section 10 Financial Responsibility of Labor Organizations. In the event of a judgment issuing from a court of competent jurisdiction as a result of a violation of a collective bargaining contract the treasury of the association or labor organization shall be subject to levy and attachment.

Section 11 Suit for Breach of Contract. When any of the disputants in a labor dispute shall refuse to comply with the terms of their contract and there shall arise a definite breach of such contract or there has been an overt act to create such breach of contract the aggrieved party may institute appropriate action in a court of competent jurisdiction for relief under the rules and procedure of such court in the county of the local of the industry affected. In no case shall damages be awarded to a nature other than actual damages sustained. Any employer, employee or labor organization who has violated any of the provisions of this act with respect to any labor dispute shall not be entitled to any of the benefits of this act respecting such labor disputes and such employer, employee or labor organization shall not be entitled to maintain in any court of this State an action for breach of contract with respect to any matters growing out of that labor dispute until he shall in good faith offer to comply with the provisions of the act.

Section 12 Strikes and Lockouts. It shall be an unfair labor practice within the meaning of subsection three of section six of the Pennsylvania Labor Relations Act as amended for any labor organization or representative thereof or any employee or other person to institute or aid in the conduct of a strike or for an employer to institute a lockout unless the provisions of this act are fully complied with.

Section 13 Saving Clause Repeals. This act shall not be construed to effect or repeal the provisions of the Pennsylvania Labor Relations Act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) as amended. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 14 Severability Clause. If any clause, sentence, paragraph or part of this act or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act and the application of such provision to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative intent that this act would have been adopted had such invalid provisions not been included.

Section 15 Effective date. The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 361, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees to be exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause (d) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the

exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" is hereby amended to read as follows

Section 3 Definitions When used in this act

(d) The term "employee" shall include any employee and shall not be limited to the employees of a particular employer unless the act explicitly states otherwise and shall include any individual whose work has ceased as a consequence of or in connection with any current labor dispute or because of any unfair labor practice and who has not obtained any other regular and substantially equivalent employment but shall not include (1) any individual employed as an agricultural laborer or in the domestic service of any person in the home of such person or any individual employed by his parent or spouse (2) any supervisory employees having the authority to hire promote advance demote or discharge other employees or to effectively recommend the same or confidential secretaries or employees engaged in personnel or industrial relations or other confidential activities whether supervisors or not

Section 2 Section three of said act is further amended by adding clause (k) as follows

Section 3 Definitions When used in this act

(k) The term "collective bargaining" shall apply to all matters made the subject of a labor dispute as above defined but shall not be construed to apply to or to include for any particular industry any matter which in that industry is not regularly and customarily included as a matter for collective bargaining nor shall it be construed to apply to or to include (1) the determination of services to be rendered to customers by the employer (2) the determination of the location of plants and facilities (3) the determination of the layout equipment processes techniques methods and materials to be used where health and safety requirements of the law are being complied with (4) the determination of financial policies accounting procedures prices for services and goods furnished to customers and customer relations (5) the determination of management organization including the selection of employees for promotion to supervisory and managerial positions (6) the selection of labor union officers and officials the determination of union by-laws and form of union organization or the conduct of the internal affairs of a labor organization (7) the establishment of quality standards and judgment of workmanship required (8) the maintenance of discipline and control and use of property and facilities including the scheduling of operations and number of shifts required (9) the determination of any other similar question which is the exclusive function of a labor union or of an employer

Section 3 Section six of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty (P. L. 293) is hereby further amended to read as follows

Section 6 Unfair Labor Practices (1) It shall be an unfair labor practice for an employer

(a) To interfere with restrain or coerce employees in the exercise of the rights guaranteed in this act Provided however that nothing contained in this act shall be construed or interpreted to prohibit any expression of opinion by the employer or his representatives with respect to any matter which may be of interest to the employees or the general public provided that such expressions of opinion are not accompanied by acts of coercion intimidation discrimination or threats thereof

(b) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other material support to it Provided That subject to rules and regulations made and published by the board pursuant to this act an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay

(c) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization Provided That nothing in this act or in any agreement approved or prescribed thereunder or in any other statute of this Commonwealth shall preclude an employer from making an agreement with a labor organization (not established maintained or assisted by any action defined in this act as an unfair labor practice) to require as a condition of employment membership therein if such labor organization is the representative of the employees as provided in section seven (a) of this act in the appropriate collective bargaining unit covered by such agreement when made and if such labor organization does not deny membership in its organization to a person or persons who are employees of the employer at the time of the making of such agreement provided such employee was not employed in violation of any previously existing agreement with said labor organization

(d) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act

(e) To refuse to bargain collectively in good faith with the representatives of his employees subject to the provisions of section seven (a) of this act

(f) To deduct collect or assist in collecting from the wages of employees any dues fees assessments or other contributions payable to any labor organization unless he is authorized so to do by a majority vote of all the employees in the appropriate collective bargaining unit taken by secret ballot and unless he thereafter receives the written authorization from each employee whose wages are effected

(g) To distribute or circulate any blacklist of individuals exercising any legal right or of members of a labor organization for the purpose of preventing individuals so blacklisted from obtaining or retaining employment except that nothing herein shall prevent an employer from giving another employer upon the latter's request information regarding the known sympathy with guilt of or membership in any organization acting in opposition to the declared public policies or Constitution of the Commonwealth of Pennsylvania or United States of America of an employee

(h) To bargain collectively with a minority group of employees of a bargaining unit where a bargaining agent for the unit has been determined by a majority vote as provided in section seven of this act

(2) It shall be an unfair labor practice for a labor organization or any officer or officers of a labor organization or any agent or agents of a labor organization or any one acting in the interest of a labor organization or for an employee or for employees acting in concert

(a) To intimidate restrain or coerce any employee [by threats of force or violence or harm to the person of said employee or the members of his family or his property] for the purpose and with the intent of compelling such employee to join or to refrain from joining any labor organization or for the purpose or with the intent of influencing or affecting his selection of representatives for the purposes of collective bargaining

(b) During a labor dispute to join or become a part of

a sit-down strike or without the employer's authorization to seize or hold or to damage or destroy the plant equipment machinery or other property of the employer with the intent of compelling the employer to accede to demands conditions and terms of employment including the demand for collective bargaining

(c) To intimidate restrain or coerce any employer by threats of force or violence or harm to the person of said employer or the members of his family or his property or by picketing the employer's homestead or the homestead of any person acting in behalf of the employer with the intent of compelling the employer to accede to demands conditions and terms of employment including the demand for collective bargaining

(d) To refuse to bargain collectively in good faith with the employer or his official representative subject to the provisions of section seven (a) of this act

(e) For more than three persons to picket or cause to be picketed a single entrance to any place of employment where no strike is in progress at the time or to interfere with deliveries to or from the premises or to interfere with the performance of work thereon by others or to procure the same during the course of said picketing

(f) For any person to interfere in any manner with the operation of a vehicle or the operator thereof whether or not the owner or operator of the vehicle is at the time a party to a strike

(g) To intimidate restrain or coerce any employee to strike against his will by any threatened or actual unlawful interference with his person immediate family or physical property or to intimidate coerce assault or unlawfully threaten any such person while in pursuit of lawful employment

(h) To interfere with the free and uninterrupted use of public roads streets highways or methods of transportation or conveyance or to wrongly obstruct ingress to and egress from any place of business or employment

(i) To engage in a secondary boycott or to hinder or prevent by threats intimidation force coercion or sabotage the obtaining use or disposition of materials equipment or services or to combine or conspire to hinder or prevent by any means whatsoever the obtaining use or disposition of materials equipment or services

(j) To call institute maintain or conduct a strike or boycott against any employer or industry or to picket any place of business of the employer or the industry on account of any jurisdictional controversy in which the Labor Conciliators has intervened as provided for in section ten of the Pennsylvania Industrial Peace Act or which is in violation of the aforesaid section

(k) To conduct when certification of a representative of employees for collective bargaining purposes has been made by proper Federal or State authority during the effective period of such certification a strike or boycott against the employer of such employees or to picket any place of business of the employer in order by such strike boycott or picketing (1) to deny the right of the representative so certified to act as such representative or (2) to prevent such representative from acting as authorized by such certification or (3) to interfere with the business of the employer in an effort to do either act specified in subclause (1) and (2) hereof

(3) It shall be an unfair labor practice for an employer or for a labor organization or any officer or officers of a labor organization or any agent or agents of a labor organization or any one acting in the interest of a labor organization or for an employee or for employees acting in concert

(b) To institute a strike or lockout as the case may be if such strike or lockout is in violation of any valid collective agreement between any employer and his employees or labor organization

(b) To institute a strike or lockout as the case may be during any negotiation period or in violation of sections six and thirteen of the Pennsylvania Industrial Peace Act or to interfere with the right of an employee to return to work in violation of section nine of said act

(c) To refuse or fail to accept as conclusive of any issue in any controversy as to employment relations the final determination (after appeal if any) of any body having competent jurisdiction to make a binding determination or whose jurisdiction the employees or their representatives and the employer accepted

Section 4 Section seven of said act as amended by the acts approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 651) and the first day of June one thousand nine hundred forty-five (P. L. 1379) is hereby further amended to read as follows

Section 7 Representatives and Elections (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay wages hours of employment or other conditions of employment Provided That any individual employee or a group of employees shall have the right at any time to present grievances to their employer

(b) The board shall decide in each case whether in order to insure to employees the full benefit of their right to self-organization and to collective bargaining and otherwise to effectuate the policies of this act the unit appropriate for the purposes of collective bargaining shall be the employer unit craft unit plant unit or subdivision thereof Provided That if the majority of the employees of a particular craft signify a wish for a craft unit the board shall designate the craft unit as the unit appropriate for collective bargaining for the employees of that particular craft

(c) Whenever a question arises concerning the representation of employees the board may and upon request of a labor organization or an employer who has not committed an act herein defined as unfair labor practice or the Labor Conciliator or any group of employees in an appropriate unit representing by petition thirty per centum or more of the employees of that unit shall investigate such controversy and certify to the parties in writing the name or names of the representatives who have been designated or selected In any such investigation the board shall provide for an appropriate hearing upon due notice either in conjunction with a proceeding under section eight or otherwise and may utilize any suitable method to ascertain such representatives except that if either party to the controversy so requests a secret ballot of employees shall be taken within twenty days after such request is filed Any certification of representatives by the board shall be binding for a period of one year or for a longer period if the contract so provides even though the unit may have changed its labor organization membership

(d) Whenever an order of the board made pursuant to section eight subsection (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section and there is a petition for the enforcement or review of such order such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsection (a) or (b) of section nine and thereupon the decree of the court enforcing modifying or setting aside in whole or in part the order of the board shall be made and entered upon the pleadings testimony and proceedings set forth in such transcript

(e) The board shall upon request from the Labor Conciliator (as provided for in section six of the Pennsylvania Industrial Peace Act) conduct a secret ballot of employees of the bargaining unit involved on the question of their desire to strike or not to strike The results of such election shall in turn be certified to the Labor Conciliator by order of the board

(f) The board shall upon request from the Labor Conciliator (as provided for in section seven of the Pennsylvania Industrial Peace Act) conduct a secret ballot of em-

ployes of the bargaining unit involved on the question of their desire to continue on strike or to return to work The results of such election shall in turn be certified to the Labor Conciliator by order of the board

(g) The board shall conduct the secret ballot provided for in subsections (e) and (f) hereof within ten days from the date the request therefor is certified over to it by the Labor Conciliator and the board shall issue its order announcing the results thereof as quickly thereafter as conditions permit

Section 5 Section nine of the said act as amended by the acts approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 651) and the first day of June one thousand nine hundred forty-five (P. L. 656) is hereby further amended to read as follows

Section 9 Judicial Review (a) The board shall have power to petition the court of common pleas of any county wherein the unfair labor practice in question occurred or wherein any person charged with the commission of any unfair labor practice resides or transacts business for the enforcement of such order and for appropriate temporary relief or restraining order and shall certify and file in the court a transcript of the entire record in the proceeding including the pleadings and testimony upon which such order was entered and the findings and order of the board Upon such filing the court shall cause notice thereof to be served upon such person and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings testimony and proceedings set forth in such transcript a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board The parties before the court shall be the board and the person charged with the commission of any unfair labor practice No objection that has not been urged before the board its members or agents shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances The findings of the board as to the facts if supported by substantial evidence in view of the entire record as submitted shall be conclusive If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence at the hearing before the board its members or agent the court may order such additional evidence to be taken before the board its members or agent and to be made a part of the transcript The board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed and it shall file such modified or new findings which if supported by substantial evidence in view of the entire record as submitted shall be conclusive and shall file its recommendations if any for the modification or setting aside of its original order The jurisdiction of the court of common pleas shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by the board or any party in interest irrespective of the nature of the decree or judgment or the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record so certified shall contain all that was before the court of common pleas

(b) Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employees may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business by filing in such court within sixty days after the final order

has been issued by the board a written petition praying that the order of the board be modified or set aside A copy of such petition shall be forthwith served upon the board and the board shall file in the court a transcript of the entire record in the proceeding certified by the board including the pleadings and testimony and order of the board Upon such filing the court shall proceed in the same manner as in the case of an application by the board under subsection (a) and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper and in like manner to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board and the findings of the board as to the facts if supported by substantial and legally credible evidence in view of the entire record as submitted shall in like manner be conclusive The parties before the court shall be any person aggrieved by a final order of the board as aforesaid and the board The jurisdiction of the court of common pleas shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the Supreme Court on appeal by the person aggrieved or the board irrespective of the nature of the decree or judgment or the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court and the record so certified shall contain all that was before the court of common pleas

(c) The commencement of proceedings under subsection (a) or (b) of this section shall not unless specifically ordered by the court operate as a stay of the board's order

(d) When granting appropriate temporary relief or a restraining order or making and entering a decree enforcing modifying or enforcing as so modified or setting aside in whole or part an order of the board as provided in this section the jurisdiction of courts sitting in equity shall not be limited by acts pertaining to equity jurisdiction of courts The acts of June second one thousand nine hundred and thirty-seven (P. L. 1198) entitled "An act relating to employees and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunction may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employees contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" shall not be applicable to orders of the board or to court orders enforcing orders of the board or any provision of this act or to violations of any order of the board or of court orders enforcing orders of the board or any provision of this act

(e) Petitions filed under this act shall be heard expeditiously and if possible within ten days after they have been docketed No petitions or charges involving questions arising under clause (b) of subsection (1) of section six shall relieve the board of determining any questions arising under subsection (c) of section seven of this act immediately and in their regular and normal order and the making of a certification thereon if such is warranted No petition or charge shall be entertained which relates to acts which occurred or statements which were made more than six weeks prior to the filing of the petition or charge

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 677, as follows:

An Act to further amend section (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 561) is hereby further amended to read as follows

Section 415 Definition of Group Life Insurance

* * * * *

(b) The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act (1) Life insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or naval militia of any State written under a policy issued to the commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of

such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such unit may be so insured (2) life insurance covering the members of one or more troops or other units of the State troopers or State police of any State written under a policy issued to the commanding officer of the State troopers or State police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of a unit of the State troopers or State police not less than seventy-five per centum of the members of such a unit may be so insured (3) life insurance covering the members of any labor union or organization of police employed by any municipal county or State authority or any organization or association of State employes or public school teachers or nurses written under a policy issued to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization from funds other than contributions from the employer or employers of its members or by the union or organization from funds other than contributions from the employer or employers of its members and its members jointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either Provided however That when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured Provided further That when members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations and (4) life insurance covering only the lives of members of a group of persons for not more than two thousand five hundred dollars on any one life numbering not less than one hundred new entrants to the group yearly who become borrowers from one lending institution including subsidiary or affiliated companies under agreement to repay the sum borrowed in installments or who become purchasers of securities merchandise or other property from one vendor under agreement to repay the sum borrowed or to pay the balance of the price of the securities merchandise or other property purchased in instalments in either event to the extent of their indebtedness to said lending institution or vendor but not to exceed two thousand five hundred dollars on any one life written under a policy which may be issued upon the application of and made payable to the lending institution or vendor or other creditor to whom such vendor may have transferred title to the indebtedness as beneficiary the premium on such policy to be payable by the borrower lending institution vendor or other creditor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahouser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 678, as follows:

An Act to further amend subsection (b) of section four hundred fifteen and subsection (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining group life insurance and group accident and health insurance to include trust funds established by employers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureau and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 561) is hereby further amended to read as follows

Section 415 Definition of Group Life Insurance

* * * * *

(b) The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act

(1) Life insurance covering the members of one or more companies batteries troops battalions divisions or other units of the National Guard or naval militia of any State written under a policy issued to the commanding general of the National Guard or commanding officer of the naval militia as the case may be who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia not less than seventy-five per centum of the members of such unit may be so insured

(2) [life] Life insurance covering the members of one or more troops or other units of the State troopers or State police of any State written under a policy issued to the commanding officer of the State troopers or State police who shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the members of such units for the benefit of persons other than the employer Provided however That when the

benefits of the policy are offered to all eligible members of a unit of the State troopers or State police not less than seventy-five per centum of the members of such unit may be so insured

(3) [life] Life insurance covering the members of any labor union or organization of police employed by any municipal county or State authority or any organization or association of State employes or public school teachers or nurses written under a policy issued to such union or organization which shall be deemed to be the employer for the purposes of this act the premium on which is to be paid by the union or organization or by the union or organization and its members jointly and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either Provided however That when the premium is to be paid by the union or organization and its members jointly and the benefits are offered to all eligible members not less than seventy-five per centum of such members may be so insured Provided further That when members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations [and]

(4) [life] Life insurance covering only the lives of members of a group of persons for not more than two thousand five hundred dollars on any one life numbering not less than one hundred new entrants to the group yearly who become borrowers from one lending institution including subsidiary or affiliated companies under agreement to repay the sum borrowed in installments or who become purchasers of securities merchandise or other property from one vendor under agreement to repay the sum borrowed or to pay the balance of the price of the securities merchandise or other property purchased in instalments in either event to the extent of their indebtedness to said lending institution or vendor but not to exceed two thousand five hundred dollars on any one life written under a policy which may be issued upon the application of and made payable to the lending institution or vendor or other creditor to whom such vendor may have transferred title to the indebtedness as beneficiary the premium on such policy to be payable by the borrower lending institution vendor or other creditor

(5) Life insurance covering the employes of two or more employers in the same industry for the benefit of persons other than the employers written under a policy issued to the trustees of a fund established by such employers which trustees shall be appointed by the employers and shall be deemed the employer for the purposes of this act Such insurance shall be subject to the following requirements (i) The persons eligible for insurance shall be all of the employes of the contributing employers or all of any class or classes thereof determined by conditions pertaining to their employment The policy may provide that the term "employes" shall include the individual proprietor or partners if any employer is an individual proprietor or a partnership The policy may provide that the term "employes" shall include the trustees or their employes or both if their duties are principally connected with such trusteeship The policy may provide that the term "employes" shall include retired employes (ii) The premium for the policy shall be paid by the trustees wholly from funds contributed by the employers of the insured persons The policy shall insure all eligible persons or all except any as to whom evidence of individual insurability is not satisfactory to the insurer (iii) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the trustees or employers

Section 2 Clause (a) of section six hundred twenty-one point one of said act as amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 148) is hereby further amended to read as follows

Section 621.1 Group Accident and Health Insurance (a)

Group Accident and Health Insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employees or members and addition may include the employees' or members' dependents written under a master policy issued to a summer camp scout troop college school system school or other institution of learning or to the head or principal thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to any association or organization of employees of one employer its affiliates or subsidiaries or to the members of any labor union bar association medical dental or other professional society volunteer fire department or to any organization or association of Federal or State employees or school teachers or school employees or nurses where officers members employees or classes or departments thereof may be insured for their individual benefit or written under a master policy issued to the trustees of a fund established by two or more employers in the same industry for the benefit of persons other than the employers the premium for such policy to be paid by the trustees wholly from funds contributed by the employers of the insured persons

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Hare,	Snowden,	Wilson,
Chapman,	Heyburn,	Stevenson,	Wolfe,
Crider,	Homsher,	Tallman,	Wood, L. H.,
Crowe,	Kephart,	Taylor,	Wood, T. N.,
Doehla,	Letzler,	Tyler,	Walker,
Donlan,	Lord,		Presiding Officer

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing

penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section three hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation of certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

* * * *

(f) [Safety] Fund Stabilization Factor To assure an adequate balance in the fund to meet the benefit payments which may be expected and to avoid the accumulation of excessive reserves the employer's rate of contribution determined in accordance with [paragraph] subsection (d) of this section shall be further adjusted [in accordance with the following table if at the end of any calendar quarter commencing with the calendar quarter ending the thirty-first day of March one thousand nine hundred and forty-four] as follows If at the beginning of the first day of any calendar year the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is eight and three-tenths per centum or more of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the department by the preceding September thirtieth then the employer's rate of contribution for such calendar year shall be further adjusted downward in accordance with the following table Provided however that if at the beginning of the first day of any calendar quarter the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one tenth per centum of the total wages of all employees paid during the first four of the last [five] six completed calendar quarters as reported to the department by the [end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made] last day of the next to the last completed calendar quarter then and in that event the employer's rate of contribution for such calendar quarter shall be further adjusted upward in accordance with the following table Employer's Adjusted Rate of Contribution determined in accordance with paragraph (d)

	1%	1.5%	2.0%	2.5%	2.7%
Balance in fund (State Reserve Ratio)	Employer's adjusted rate of contribution [on wages paid during the calendar quarter at the end of which the adjusted rate is computed] in accordance with the provisions of this subsection				
[8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0% and less than 8.1%	1.1	1.6	2.1	2.6	2.7
7.9% and less than 8.0%	1.2	1.7	2.2	2.7	2.7
7.8% and less than 7.9%	1.3	1.8	2.3	2.7	2.7
7.7% and less than 7.8%	1.4	1.9	2.4	2.7	2.7
7.6% and less than 7.7%	1.5	2.0	2.5	2.7	2.7

7.5% and less than 7.6%	1.6	2.1	2.6	2.7	2.7
7.4% and less than 7.5%	1.7	2.2	2.7	2.7	2.7
7.3% and less than 7.4%	1.8	2.3	2.7	2.7	2.7
7.2% and less than 7.3%	1.9	2.4	2.7	2.7	2.7
7.1% and less than 7.2%	2.0	2.5	2.7	2.7	2.7
7.0% and less than 7.1%	2.1	2.6	2.7	2.7	2.7
6.9% and less than 7.0%	2.2	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.3	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.4	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.5	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.6	2.7	2.7	2.7	2.7
Less than 6.5%	2.7	2.7	2.7	2.7	2.7]
9.9% or more	.5%	.6%	.7%	.8%	.9%
9.7 and less than 9.9	.5	.6	.7	.9	1.1
9.5 and less than 9.7	.5	.6	.7	1.1	1.3
9.3 and less than 9.5	.5	.6	.8	1.3	1.5
9.1 and less than 9.3	.5	.6	1.0	1.5	1.7
8.9 and less than 9.1	.5	.7	1.2	1.7	1.9
8.7 and less than 8.9	.5	.9	1.4	1.9	2.1
8.5 and less than 8.7	.6	1.1	1.6	2.1	2.3
8.3 and less than 8.5	.8	1.3	1.8	2.3	2.5
8.1 and less than 8.3	1.0	1.5	2.0	2.5	2.7
7.9 and less than 8.1	1.2	1.7	2.2	2.7	2.7
7.7 and less than 7.9	1.4	1.9	2.4	2.7	2.7
7.5 and less than 7.7	1.6	2.1	2.6	2.7	2.7
7.3 and less than 7.5	1.8	2.3	2.7	2.7	2.7
7.1 and less than 7.3	2.0	2.5	2.7	2.7	2.7
6.9 and less than 7.1	2.2	2.7	2.7	2.7	2.7
6.7 and less than 6.9	2.4	2.7	2.7	2.7	2.7
6.5 and less than 6.7	2.6	2.7	2.7	2.7	2.7
Less than 6.5	2.7	2.7	2.7	2.7	2.7

Section 2 The said act is hereby further amended by adding after Section 312 thereof the following new Section 313

Section 313 Temporary Contributions by Employers and Experience Rating Notwithstanding the provisions of Section 301 of this act if on the first day of April one thousand nine hundred and forty-seven the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is nine and nine tenths per centum or more of the total wages of all employes paid during the first four of the last six completed calendar quarters as reported to the Department by the thirty-first day of December one thousand nine hundred and forty-six and if an employer has complied with the requirements of Section 301 (e) of this act and also has paid contributions into the Fund for one or more quarters in each of the last five completed calendar years then such employer's rate of contribution for the last three calendar quarters of the year one thousand nine hundred and forty-seven as hereby further adjusted shall be the rate set opposite such employer's adjusted rate under the provisions of said Section 301 prior to the amendments thereto made by this amendatory act in the following table

Adjusted Rate under Section 301 hereof	Further Adjusted Rate under this Section
1.0%	.5%
1.5	.6
2.0	.7
2.5	.8
2.7	.9

Provided However that if on the first day of July or on the first day of October one thousand nine hundred and forty-seven the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employees paid during the first four of the last six completed calendar quarters as reported to the Department then and in that event the provisions of Section 301 (f) prior to the amendments thereto made by this amendatory act shall apply

Section 3 The provisions of Section 1 hereof shall become effective on the first day of January one thousand nine hundred and forty-eight

The provisions of Section 2 hereof shall become effective

upon the final enactment of this act and shall apply to the determination of employers' rates of contribution for the last three calendar quarters of the year one thousand nine hundred and forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Ruth,	Watson,
Carr,	Hare,	Scarlett,	Wilson,
Chapman,	Heyburn,	Snowden,	Wolfe,
Crider,	Homsher,	Stevenson,	Wood, L. H.,
Crowe,	Kephart,	Tallman,	Wood, T. N.,
Doehla,	Letzler,	Taylor,	Walker,
Donlan,	Lord,	Tyler,	Presiding Officer

NAYS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahauser,	Woodring,
Haluska,	Lane,	Rosenfeld,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 775, as follows:

An Act to further amend subsection (c) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigating powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employes for the purposes of collective bargaining

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby further amended to read as follows

Section 7 Representatives and Elections

* * * * *

(c) Whenever a question arises concerning the representation of employes the board may and upon request of a labor organization or an employer who has not committed an act herein defined as unfair labor practice or any group of employes in an appropriate unit representing by petition thirty per centum or more of the employes of that unit shall investigate such controversy and certify to the parties in writing the name or names of the representatives if any who have been designated or selected or in the event that the board shall find that the majority of the employes in a unit appropriate for the purposes of collective bargaining do not desire that a certain labor organization represent them for such purposes or have not designated or selected any representative or representatives for such purposes the board shall so certify to the parties in writing. In any such investigation the board shall provide for an appropriate hearing upon due notice either in conjunction with a proceeding under section eight or otherwise and may utilize any suitable method to ascertain such representatives except that if either party to the controversy so requests a secret ballot of employes shall be taken within twenty days after such request is filed. Any certification of representatives by the board shall be binding for a period of one year or for a longer period if the contract so provides even though the unit may have changed its labor organization membership. Any certification that the majority of such employes do not desire that a certain labor organization represent them for such purposes shall be binding for the period of one year from the date of such certification

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Cridler,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DISilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 801, as follows:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause strikes lockouts slow-downs or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employes and employees for the enforcement of such public policy and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That it is hereby declared to be the public policy of the Commonwealth of Pennsylvania that it is necessary and essential in the public interest to facilitate the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause an interruption in the supply of service necessary to the health safety and well being of the citizens of the Commonwealth of Pennsylvania and to that end to encourage the making and maintaining of agreements concerning wages hours and other conditions of employment through collective bargaining between public utility employers and their employes and to provide settlement procedures for labor disputes between public utility employers and their employes in cases where the collective bargaining process has reached an impasse and stalemate and as a result thereof the parties are unable to affect such settlement and which labor disputes are likely to cause interruption of the supply of a public utility service on which the community so affected is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service

Section 2 As used in this act

(a) The term "public utility" or "public utility employer" means a private employer subject to the jurisdiction of the Pennsylvania Public Utility Commission and engaged in the business of rendering electric gas water and steam heat services to the public in this Commonwealth

(b) The term "collective bargaining" means collective

bargaining of or similar to the kind provided for by the Pennsylvania Labor Relations Act as interpreted by the decisions of the courts in this Commonwealth

Section 3 It shall be the duty of public utility employers and their employees engaged in operating public utility services to exert every reasonable effort to settle all labor disputes by engaging in collective bargaining in good faith and by entering into agreement and maintaining the same

Section 4 Within sixty days after this act becomes effective the Governor shall appoint a panel of arbitration consisting of twelve persons selected from a roster of recommendations received from a Labor-Management Advisory Committee appointed by him and having thereon equal representation from labor and management. The number and terms of the members of said Advisory Committee shall be fixed by the Governor. The Governor shall keep such panel revised at all times and available for services under the provisions of this act. Each person appointed on said panel shall be a resident of the Commonwealth of Pennsylvania possessing in the judgment of the Governor the requisite experience and judgment to qualify him to capably and fairly deal with labor dispute problems. Appointments on the panel of arbitration shall be made without consideration of political affiliation. Each appointee shall take an oath or affirmation to perform honestly and to the best of his ability the duties of arbitrator. Any appointee may be removed by the Governor at any time or may resign his position at any time by notice in writing to the Governor. Any vacancy on the panel shall be filled by the Governor within thirty days after the vacancy occurs. Arbitrators shall receive no compensation except for their services as such as hereinafter provided in this act.

Section 5 If in any case of a labor dispute between a public utility employer and its employees the collective bargaining process reaches an impasse and stalemate with the result that the employer and employees are unable to effect a settlement then either party to the dispute or the Pennsylvania Labor Relations Board may request the Governor in writing to appoint a mediator. Upon the filing of any such request the Governor shall consider the same and if in his opinion the collective bargaining process has failed and such dispute if not settled is likely to cause the interruption of the supply of a public utility service on which a community is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service the Governor shall appoint a mediator from among the mediators employed by the Department of Labor and Industry to attempt to effect a settlement of such labor dispute.

Section 6 The mediator so named shall expeditiously meet with the disputing parties or their representatives and shall exert every reasonable effort to effect a prompt settlement of the labor dispute. After the appointment of a mediator by the Governor as provided for in Section 5 hereof there shall be no interruption of work and no strikes or slowdowns by employees and there shall be no lockout or other work stoppage by the employer until such time as all of the procedure provided for in this act has been exhausted or during the effective period of any order issued by a board of arbitration pursuant to the provisions of this act unless the Governor shall determine that failure to settle the dispute would not cause severe hardship to be inflicted on a substantial number of persons.

Section 7 If the mediator appointed by the Governor is satisfied that the labor dispute cannot be settled within thirty (30) days of his intervention the mediator shall within such time secure from and it shall be the duty of each of the parties to furnish to him a written statement of the best offer of each party for the settlement of the labor dispute. The mediator shall thereupon make a report to the Governor who shall require the Pennsylvania Labor Relations Board forthwith to conduct an election among all of the employees in the bargaining unit involved in the labor dispute on the question "Shall the employer's

offer be accepted?" Such election shall be by secret ballot. If a majority of those voting on the question shall vote in favor of accepting the offer then such offer shall become effective and if the same involves a dispute relating to wages hours or other conditions of employment that should be adjusted by collective bargaining the effective period shall date from the date of the appointment of the mediator by the Governor and shall continue effective for one year from that date. In default of a majority vote in favor of accepting the offer the vote shall constitute a vote in favor of arbitration.

A full statement of the offer as made by each party shall be furnished simultaneously to each eligible voter at such election and to the employer or his representative.

Section 8 If a majority of those voting at the election provided for in Section 7 of this act shall have voted against the offer as made and if the offer made to the employer is likewise rejected then it shall become the duty of the parties to the labor dispute to submit the labor dispute to an arbitrator or a board of arbitration as may be provided for in any agreement between the parties to the labor dispute or if no such arbitration is provided for the labor dispute continuing the Governor shall promptly appoint a Board of Arbitration composed of three members of the panel constituted in accordance with the provisions of this act to hear and determine such dispute. A new board shall be chosen by the Governor for each separate labor dispute but the same board may hear any number of issues or grievances which are involved in any one dispute between the public utility employer and its employees. Members of such board of arbitration shall be allowed reasonable compensation for their services and for their expenses in an amount to be fixed by the Governor. Such compensation and expenses including all stenographic and other expenses in connection with such hearings and the making of a complete record thereof shall be shared equally by the parties to the dispute.

Section 9 Each party to the labor dispute shall be entitled to designate one representative to sit with the Board of Arbitration appointed by the Governor but such representatives shall sit in an advisory capacity only and shall have no vote.

Section 10 The Board of Arbitration shall hold hearings and shall have power to administer oaths and compel the attention of witnesses by subpoena and the furnishing by the parties of such information as may be necessary to a determination of the issue or issues in dispute. Both parties to the dispute shall have the opportunity to be present at the hearing by representatives and by counsel and to present such oral and documentary evidence as the Board shall deem relevant to the issue or issues in controversy.

Section 11 It shall be the duty of the arbitrators to make written findings of fact and to render a written decision and order upon the issues presented in the case. In making its findings the Board shall consider only the issues raised by the offers furnished to the mediator as provided in Section 7 of this act and shall not include any matter which is not regularly and customarily included as a matter for collective bargaining in the particular business. The arbitrators shall consider only the evidence submitted by the parties to the dispute. When a valid contract is in effect defining the rights duties and liabilities of the parties with respect to any matter in dispute the Board shall have power only to determine the proper interpretation and application of the contract involved. Where there is no contract between the parties or where there is no contract but the parties have begun negotiations looking to a new contract or amendments of the existing contract and wage rates or other conditions of employment under the proposed new or amended contract are in dispute the Board shall consider all pertinent factors and shall establish rates of pay and conditions of employment comparable to prevalent wage rates paid and conditions of employment maintained for the same or similar work of workers exhibiting like or

similar skills under the same or similar working conditions by public utility employers in the same business if any in the same labor market area and if none in an adjoining labor market area within the Commonwealth of Pennsylvania and which in addition thereto bear a generally comparable relationship to wages rates paid and conditions of employment maintained by all other employers in the same labor market area.

The Board shall determine in each case from the evidence presented what constitutes in a particular case the same labor market area or an adjoining labor market area.

In establishing wage rates the Board shall take into consideration the over-all compensation presently received by the employees having regard not only to wages for time actually worked but also to wages for time not worked including vacations holidays and other excused time and all benefits received including insurance and pensions and the continuity and stability of employment enjoyed by the employees.

Section 12 The Board of Arbitration shall hand down its findings decision and order (hereinafter referred to as its order) within sixty (60) days after its appointment unless the Governor for good cause shall extend said period not to exceed an additional sixty (60) days. The order of a majority of the Board of Arbitration shall constitute the order of the Board. The Board shall furnish to the Governor and to each of the parties a copy of its order. A certified copy of its order together with the complete record in the case including the testimony shall be filed by the Board in the office of the prothonotary of the court of common pleas of the county wherein the dispute arose or in the office of the prothonotary of the court of common pleas of the county where the public utility employer maintains its principal office.

Unless such order is modified or vacated as provided in Section 13 of this act such order together with such agreements as the parties may themselves have reached shall become binding upon and shall control the relationship between the parties from the date such order is filed with the prothonotary of the court of common pleas and shall continue effective for one year from that date but such order may be changed by mutual consent of the parties. No order of the Board relative to wage and rates of pay shall be retroactive to a date before the date of termination of any contract which may have existed between the parties and if there was no such contract to a date before the date on which the Governor appointed a mediator in the labor dispute.

Section 13 Either party to the labor dispute may within fifteen days from the date such order is filed with the prothonotary of the Court petition the court of common pleas of the county in which the certified copy of the order was filed for review of such order on any of the following grounds that

- (a) The order was procured by corruption fraud or unlawful means
- (b) There was evident partiality or corruption on the part of the arbitrators or any of them
- (c) The arbitrators refused to postpone the hearing upon sufficient cause shown or did not give the parties a reasonable opportunity to be heard or refused to hear evidence pertinent and relevant to the controversy
- (d) The arbitrators exceeded their powers or so imperfectly executed them that a final and definite order upon the subject matter was not made
- (e) There was an evident material miscalculation of figures or an evident mistake in the description of any person thing or property referred to in the order
- (f) The arbitrators had ordered upon a matter not submitted to them unless it was a matter not affecting the merits of the decision
- (g) The order is imperfect in matter of form not affecting the merits of the controversy
- (h) The order is unreasonable in that it is not supported by the evidence

Upon the presentation of any such petition the Court

shall issue a rule on the other party to the labor dispute returnable within such time as the court may fix. The Court shall hear the matter on the record as filed with the prothonotary unless the petition alleges ground for a vacation or modification of the order of the arbitrators on which no evidence or insufficient evidence was taken in which case the court may require such additional evidence before it as may be deemed necessary in order to enable it to enter a proper order. The Court may enter such order affirming or modifying or vacating the order of the Board of Arbitration in accordance with the grounds specified in this section as to it appears just and proper. The jurisdiction of the court of common pleas shall be exclusive and its order shall be final except that the same shall be subject to review by the appellate courts of this Commonwealth as hereinafter provided.

Within thirty (30) days after the entry of any final order of the court of common pleas any party to the proceedings aggrieved thereby may appeal therefrom on matters of the law to the Superior Court. Such appeal shall be taken and prosecuted in the same manner and with same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas.

Within thirty (30) days after the entry of any final order of the Superior Court any party to the proceedings aggrieved thereby may appeal therefrom to the Supreme Court if the jurisdiction of the Superior Court is in issue or if the case involves the construction or application of the Constitution of the United States or the Constitution of Pennsylvania. Such appeals shall be taken and prosecuted in the same manner and with the same effect as is provided in other cases of appeal from the Superior Court to the Supreme Court. All appeals from the action of the Board to the court of common pleas and from it to the Superior Court and from the Superior Court to the Supreme Court shall take precedence over all other matters except older matters of the same character.

The prothonotary of the respective courts shall in each case promptly notify the Governor and the parties to the proceedings of the order entered by the court of common pleas by the Superior Court or by the Supreme Court as the case may be.

The order of any court sustaining or modifying the order appealed from and from which no further appeal is taken shall become binding and shall control the relationship between the parties from the date that the original order of the Board of Arbitration has been filed with the prothonotary of the court of common pleas and shall remain effective for one year from that date unless changed by mutual consent of the parties to the proceedings. If the order of any court vacates the order appealed from and no further appeal is taken then the Governor may either attempt further efforts to mediate the controversy or appoint another board of arbitrator in the event the parties do not first agree to engage in further collective bargaining to settle such labor dispute.

Any such second arbitration board shall consider the evidence taken by the first board and such additional evidence as may be presented by the parties to the labor dispute. The order of any second board of arbitration shall supersede the preceding order and shall be filed in the court and be subject to review as in this act provided.

Section 14 It shall be unlawful for any group of employees acting in concert to call a strike or to go out on strike or to cause any work stoppage or slowdown in violation of the provisions of this act. It shall be unlawful for any employer to lockout his employee in violation of the provisions of this act. It shall be unlawful for any person association or corporation to instigate induce conspire with or encourage any person or persons to engage in any strike lockout slowdown or work stoppage in violation of the provisions of this act. Any violation of the provisions of this act shall constitute a misdemeanor and upon conviction thereof the person association or corporation shall be sentenced to pay a fine of not less than five hundred (\$500) dollars or more than twenty-

five hundred (\$2500) dollars or suffer imprisonment for not more than six months or both In the case of violation by associations and corporations the penalty by imprisonment may be imposed upon the representatives or officers thereof responsible for such violation

Section 15 Any person adversely affected by reason of a violation of the provisions of this act may file an action in the court of common pleas of the county in which such violation occurs to restrain and enjoin such violation and to compel the performance of duties imposed by this act Jurisdiction is hereby conferred on the courts of common pleas to hear and determine such actions

Section 16 Nothing in this act shall be construed to require an individual employe to render labor or service without his consent or to make unlawful the quitting of his labor or service or the withdrawal from his place of employment unless done in concert or in agreement with others and in violation of the provisions of this act No court shall have power to issue any process to compel an individual employe to render labor or service or to remain at his place of employment without his consent It is the intent of this act only to forbid employes to leave their employment in concert or to cause a work slowdown or stoppage in concert in violation of the provisions of this act and to forbid an employer to lockout his employes in violation of the provisions of this act

Section 17 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blase,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margle,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 826, as follows:

An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

(a) The term "public employe" includes all persons holding a position by appointment or employment in the government of the Commonwealth of Pennsylvania or under any of its agencies boards commissions or other

branches or in the government of any political subdivision of the Commonwealth or any authority or in the public school system

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communication of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearings relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act in order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances the governmental agency involved at the request of the public employes shall set up a panel of three members one to be selected by the employes one by the governmental agency and the two so selected to select a third member the members of the panel shall be compensated at the rate of twenty-five dollars (\$25.00) per day together with all necessary traveling expenses the panel shall meet within fifteen (15) days if the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted if the conference negotiations do not result in rulings satisfactory to all parties concerned the panel shall afford the public employes and the governmental agency a full hearing after which the panel shall make their findings copy of which shall be sent to the Governor to the General Assembly and to the head of the agency or political subdivision involved upon receipt of the findings of the panel the Governor or the head of the state agency or political subdivision involved may take administrative measures to remedy the complaints if the Governor or the head of the state agency or political subdivision finds that the situation complained of can only be remedied by legislative action the Governor may refer the matter to the legislature for correction or the head of the state agency or political subdivision may refer the matter to the proper law-making body if the members of the panel decide that legal counsel is necessary they may with the approval of the attorney general engage local counsel to advise them on the questions involved

Section 2 No public employe shall strike and no person exercising any authority supervision or direction over any public employes shall have the power to authorize approve or consent to a strike by one or more public employes

Section 3 Notwithstanding any other provision of law any public employe who violates the provisions of this act shall thereby abandon and terminate his appointment or employment and shall no longer hold such job or position or be entitled to any of the rights or emoluments thereof except if appointed reappointed employed or reemployed as hereinafter provided

Section 4 Notwithstanding any other provision of law a person violating the provisions of this act may subsequent to such violation be appointed or reappointed employed or re-employed as a public employe but only upon the following conditions

(a) His compensation shall in no event exceed that received by him immediately prior to the time of such violation

(b) The compensation of such person shall not be increased until after the expiration of three years from such

appointment or reappointment employment or re-employment and

(c) Such person shall be on probation for a period of five years following such appointment or reappointment employment or re-employment during which period he shall serve without tenure and at the pleasure of the appointing officer or body

Section 5 Notwithstanding the provisions of any other law any person holding such a position who without the lawful approval of his superior fails to report for duty or otherwise absents himself from his position or abstains in whole or in part from the full faithful and proper performance of his position shall be deemed on strike. Provided That such person upon request shall be entitled to establish that he did not violate the provisions of this act. Such request must be filed in writing within ten days after regular compensation of such employe has ceased. In the case of a public employe who is entitled by law to a hearing upon dismissal or removal such written request shall be filed with the officer or body having power to remove such employe and such officers or body shall within ten days conduct a hearing to determine whether the provisions of this act have been violated by such public employe in the manner provided by law appropriate to a proceeding to dismiss or remove such public employe. In the case of a public employe who is not entitled by law to a hearing upon dismissal or removal the request for a hearing shall be filed with the Pennsylvania Labor Relations Board which shall within ten days conduct a hearing to determine whether the provisions of this act have been violated by such public employe in the manner provided for hearings before the board by the Pennsylvania Labor Relations Act. All such proceedings shall be undertaken without unnecessary delay.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Watson,
Carr,	Heyburn,	Snowden,	Willson,
Chapman,	Homsher,	Stevenson,	Wolfe,
Crider,	Kephart,	Tallman,	Wood, L. H.,
Crowe,	Letzler,	Taylor,	Wood, T. N.,
Doehla,	Lord,	Tyler,	Walker,
			Presiding Officer

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

PRESENT—2

Donlan,	Hare,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 952, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employes ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred nine point one of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 717) is hereby further amended to read as follows

Section 309.1 Compromises where the department is satisfied (1) that the employer is unable to make payment in full of contributions interest and penalties imposed upon him by the law or that it would be inequitable to require the payment in full of delinquent interest and (2) that the employer has acted in good faith the secretary is hereby authorized [with the approval of the attorney general and under rules and regulations adopted therefor] to compromise delinquent interest and penalties due on any contribution and in the case of any employer that has been adjudged a bankrupt or for whom a receiver has been appointed to compromise the principal of any delinquent contribution as well as interest and penalties thereon provided that any compromise of a total delinquent amount in excess of one thousand dollars shall require the approval of the attorney general.

Section 2 Sections four hundred two and four hundred four of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) are hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by any employer. Provided That such employer simultaneously notifies the employment office of such offer.

(b) In which his unemployment is due to voluntarily leaving work without good cause. Provided That no employe shall be deemed to be ineligible under this [section]

subsection where as a condition of continuing in employment such employee would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employees in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions and that [In] in determining whether or not an employee has left his work voluntarily without good cause the department shall give consideration to the same factors in so far as they are applicable provided with respect to the determination of suitable work under section four (t) and provided further that the provisions of this subsection shall not apply in the event of a stoppage of work which exists because of a labor dispute within the meaning of subsection (d)

(c) with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

[d] In which his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier]

(d) In which his unemployment is due to a stoppage of work which exists because of a labor dispute at the factory establishment or other premises at which he is or was last employed long as the dispute continues provided that this subsection shall not apply if it is shown that (1) he is not participating in or directly interested in the labor dispute which caused the stoppage of work and (2) he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs any of whom are participating in or directly interested in the dispute provided that if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises each such department shall for the purpose of this subsection be deemed to be a separate factory establishment or other premises

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work and

(f) Which in whole or in part includes any part of the two-week period which immediately follows each period of employment under Shipping Articles

Section 404 Rate and amount of compensation Compensation shall be paid [with respect] to each eligible employee [whose benefit year begins prior to June first one thousand nine hundred forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employee whose benefit year begins subsequent to May thirty-first one thousand nine hundred and forty-five] in accordance with the following provisions of this section

(a) The employee's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

(b) The "highest quarterly wages" of an employee shall be the total wages (computed to the nearest dollar) which were paid to such employee in that calendar quarter in which such total wages were highest during the base year

[(c) Each eligible employee who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate no payment shall be made for any week ending during such period unless the employee has been totally unemployed with respect to such week and has served one waiting week as required under section four hundred one (e) provided that with respect to such week the employee has been totally unemployed for purposes of this subsection an employee shall be deemed totally unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than full-time work if the remuneration paid or payable to him with respect to such week does not exceed three dollars (\$3.00)]

(d) Each eligible employee who is unemployed with respect to any week [ending the first day of January one thousand nine hundred and forty-six or thereafter] shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that part of the remuneration if any paid or payable to him with respect to such week which is in excess of three dollars (\$3.00) such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) provided that if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation loss any refunds during any twelve consecutive months the maximum amount of compensation payable to any employee for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars (\$18)

(e) Any otherwise eligible employee shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wage paid to him during his base year provided that if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months No employee shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amount previously paid with respect to the same benefit year would be in excess of sixteen times the employee's weekly benefit rate or two hundred and eighty-eight dollars (\$288) whichever is the lesser and provided further that no employee shall be paid compensation in excess of twenty times his weekly benefit rate with respect to any benefit year which begins prior to the first day of October one thousand nine hundred forty-seven

(f) For the purposes of this section and of section four hundred one (a) Wages paid with respect to unemployment performed under shipping articles shall be considered as having been paid in the respective calendar quarters in which the services of the employee were being performed

[Tables Specified For the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate		
		9	10
\$60-212	\$8	\$240-265	\$266-293

213-237	9	270-298	299-330
238-262	10	300-332	333-367
263-287	11	330-365	336-403
288-312	12	360-398	399-440
313-337	13	390-431	432-476
338-362	14	420-464	465-513
363-387	15	450-498	499-550
388-412	16	480-531	532-587
413-437	17	510-564	565-624
438-462	18	540-598	599-661
463-487	19	570-632	633-698
488 or more	20	600-665	666-735

[Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)]

Part C

Base Year Wages

11	12	13	14
\$294-321	\$322-349	\$350-377	\$378-405
331-361	362-393	394-424	425-456
368-402	403-437	438-472	473-507
404-442	443-480	481-519	520-557
441-482	483-524	525-566	567-608
477-522	523-567	568-613	614-658
514-562	563-611	612-660	661-709
551-603	604-655	656-708	709-760
588-643	644-699	700-755	756-811
625-683	684-743	744-802	803-862
662-724	725-787	788-850	851-913
699-765	766-831	832-898	899-964
736-805	806-875	876-945	946-1015

[Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)]

Part A
Highest
Quarterly
Wages

Part B
Weekly
Benefit
Rate

	15	16
\$60-212	\$8	\$406-433
213-237	9	417-487
238-262	10	508-542
263-287	11	558-596
288-312	12	609-650
313-337	13	659-704
338-362	14	710-758
363-387	15	761-813
388-412	16	812-867
413-437	17	863-921
438-462	18	914-976
463-487	19	965-1031
488 or more	20	1016-1085

[Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)]

Part C

Base Year Wages

17	18	19	20
\$462-489	\$490-517	\$518-545	\$546 or more
520-550	551-582	583-613	614 or more
578-612	613-647	648-682	683 or more
635-673	674-711	712-750	751 or more
693-734	735-776	777-818	819 or more
750-795	796-840	841-886	887 or more
808-856	857-905	906-954	955 or more
866-918	919-970	971-1023	1024 or more
924-979	980-1035	1036-1091	1092 or more
982-1040	1041-1100	1101-1159	1160 or more
1040-1102	1103-1165	1166-1228	1229 or more
1098-1164	1165-1230	1231-1297	1298 or more
1156-1225	1226-1295	1296-1365	1366 or more

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A
Highest
Quarterly
Wages

Part B
Weekly
Benefit
Rate

	9	10	11
\$60-212	\$8	\$240-265	\$266-293
213-237	9	270-298	299-330
238-262	10	300-332	333-367
263-287	11	330-365	366-403
288-312	12	360-398	399-440
313-337	13	390-431	432-476
338-362	14	420-464	465-513
363-387	15	450-498	499-550
388-412	16	480-531	532-587
413-437	17	510-564	565-624
438-462	18	540-598	599-661
463-487	19	570-632	633-698
488 or more	20	600-665	666-735

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C

Base Year Wages

12	13	14	15	16
\$322-349	\$350-377	\$378-405	\$406-433	\$434-461
362-393	394-424	425-456	457-487	488-519
403-437	438-472	473-507	508-542	543-577
443-480	481-519	520-557	558-596	597-634
483-524	525-566	567-608	609-650	651-692
523-567	568-613	614-658	659-704	705-749
563-611	612-660	661-709	710-758	759-807
604-655	656-708	709-760	761-813	814-865
644-699	700-755	756-811	812-867	868-923
684-743	744-802	803-862	863-921	922-981
725-787	788-850	851-913	914-976	977-1039
766-831	832-898	899-964	965-1031	1032-1097
806-875	876-945	946-1015	1016-1085	1086-1155

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A
Highest
Quarterly
Wages

Part B
Weekly
Benefit
Rate

	17	18	19
\$60-212	\$8	\$462-489	\$490-517
213-237	9	520-550	551-582
238-262	10	578-612	613-647
263-287	11	635-673	674-711
288-312	12	693-734	735-776
313-337	13	750-795	796-840
338-362	14	808-856	857-905
368-387	15	866-918	919-970
388-412	16	924-979	980-1035
413-437	17	982-1040	1041-1100
438-462	18	1040-1102	1103-1165
463-487	19	1098-1164	1165-1230
488 or more	20	1156-1225	1266-1295

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C

Base Year Wages

20	21	22	23	24
\$546-573	\$574-601	\$602-629	\$630-657	\$658 or more

614-645	646-676	677-708	709-739	740 or more
683-717	718-752	753-787	788-822	823 or more
751-788	789-827	828-865	866-904	905 or more
819-860	861-902	903-944	945-986	987 or more
887-931	932-977	978-1022	1023-1068	1069 or more
955-1003	1004-1052	1053-1101	1102-1150	1151 or more
1024-1075	1076-1128	1129-1180	1181-1233	1234 or more
1092-1147	1148-1203	1204-1259	1260-1315	1316 or more
1160-1219	1220-1278	1279-1338	1339-1397	1398 or more
1229-1291	1292-1354	1355-1417	1418-1480	1481 or more
1298-1363	1364-1430	1431-1496	1497-1563	1564 or more
1366-1435	1436-1505	1506-1575	1576-1645	1646 or more

Section 3 Section eight hundred one of said act is hereby amended to read as follows

Section 801 False statements and representations to obtain or increase compensation Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act either for himself or for any other person shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars [and in default of the payment of such fine and costs] or shall be sentenced to imprisonment for not longer than thirty days or both and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense

Section 4 Except as otherwise specifically provided herein the amendments to sections three hundred nine point one four hundred two and eight hundred one shall become effective the first day of July one thousand nine hundred forty-seven and the amendments to section four hundred four shall become effective the first day of October one thousand nine hundred forty-seven Any claim for compensation filed with respect to any week of unemployment ending on or after the first day of July one thousand nine hundred forty-seven shall be subject to the provisions of section four hundred two as amended by this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No persons or association of persons shall operate or maintain a labor union unless and until there has been first filed with the Department of Labor and Industry After such persons or association of persons have been organized as provided by law a sworn statement in writing signed by the president and secretary of such labor union setting forth the names and addresses of all its officers its aims and objects the scale of dues initiation fees fines and assessments to be charged to members and the salaries bonuses or other gratuities to be paid to its officers

Section 2 The president and secretary of all labor unions shall thereafter make an annual report to the Secretary of Labor and Industry in such form as he may prescribe duly signed by such officers setting forth the amount of money received from initiation fees dues fines and assessments the amount paid in salaries to officers listing their names addresses and amount paid to each and all other expenditures listing the name and address and amount paid to each person

Section 3 The Department of Labor and Industry shall keep a record of all statements and reports submitted to it under the provisions of this act which shall be confidential reports and shall be released to those who have direct interest in the subject matter thereof The Secretary of Labor and Industry shall report to the Attorney General all instances of neglect or omission on the part of any persons or association of persons to comply with the provisions of this act for the enforcement of the penalties thereof

Section 4 Whoever violates either section one or section two of this act or knowingly makes or files any statement or report which is false as to any material fact or representation shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or in the case of the responsible officers or agents of any union to undergo a term of imprisonment not exceeding one year or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1076, as follows:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as added by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby amended by adding at the end thereof a new clause to read as follows

Section 6 Unfair Labor Practices

* * * * *

(2) It shall be an unfair labor practice for a labor organization or any officer or officers of a labor organization or any agent or agents of a labor organization or any one acting in the interest of a labor organization or for an employee or for employes acting in concert

* * * * *

(d) To picket or cause to be picketed a place of employment by a person or persons who is not or are not an employee or employes of the place of employment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, siz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahouser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Mr. BARR. Mr. President, due to the lateness of the hour I would like to have inserted in the Journal a speech I was just about to deliver.

The PRESIDING OFFICER. Hearing no objection, permission is granted.

EXTENDED REMARKS BY MR. BARR

Mr. BARR. This Thucydides, who was born in 481 B. C., an ancient Greek writer of history and philosophy, said that justice exists only between two equal parties, for the strong man takes what he can and the weak man concedes what he has to, and so it is today.

As it is the duty of Government to see to it that justice is rendered to all classes, so it is the duty of this Legislature to enact only those laws that will bring about justice in our society.

The matter before the Senate this afternoon brings this issue to the foreground, and, as was so ably expressed by Philip Murray in his analysis of the forces of our society, so it is applicable here this afternoon.

The bills before you can be supported only by a premise that the ills of our economy, the ills of our nation, reflect a need—and solely a need—for weakening labor at the bargaining table, for weakening labor at the expense of management, for compelling labor to accept from management without resistance the answer "no."

To make that evaluation you will have to make it in blunt and uncompromising economic terms.

It will be of no avail to hide behind a smoke-screen of reference to jurisdictional strikes, sympathy strikes, secondary boycotts and other literally fringe phenomena.

Between January and June of 1946, of workers involved in all strikes, four-tenths of one per cent were involved in jurisdictional strikes; eighty-three and nine-tenths per cent were involved in strikes in which the issues related to wages, hours and working conditions.

If you are prepared to say that the time has come to weaken unions, then you will have to be prepared to say that the Pennsylvania working men and women have, through their unions or otherwise, achieved more than you are prepared to concede to them as their right with respect to wages, hours and working conditions.

If you are prepared to embark on a program of consciously weakening labor at the bargaining table, then you are prepared to say that the strength of government must be thrown behind those employers who are today prepared to protect their present and future profit levels against any demands for wage increases.

If that is your program, then we are truly embarking upon a new and dangerous era in the history of Pennsylvania government. Not merely will government be preparing to sit by and permit a repetition on a grander scale of the trends which led to the crash in 1929; government will be actually taking an affirmative and active role in compelling the state in the direction of such a catastrophe.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 812, on third reading, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for

reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 850, on third reading, entitled:

An Act to further amend Clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the State employee and original member to include certain employees paid on a per diem or hourly basis

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 851, on third reading, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employees who receive an hourly or per diem wage

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 932, on third reading, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to

acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 954, on third reading, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 983, on third reading, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1040, on third reading, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the

sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1098, on third reading, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1099, on third reading, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1214, on third reading, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five

P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WOODRING. Mr. President, before that request is acted upon, may I suggest that the request be withdrawn as regards House Bill 1214. After further study we have determined that this bill needs to be amended and I have the amendment ready to be offered.

Mr. TALLMAN. As the gentleman from Northampton realize the hour is very late and since this is a House bill, I wonder, Mr. President, whether the gentleman from Northampton will agree to offer his amendments tomorrow.

The PRESIDENT. Is there objection? The Chair hears none. The bill will go over in order.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1333, on third reading, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the several administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

* SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 77, on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved

the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violation of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain ad-

ministrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 601, on second reading, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative department boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 737, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 768, on second reading, entitled:

An Act to repeal sections two and three of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supple-

ment to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties eminent domain proceeding for water supply purposes and the manner of ascertaining damages for such taking.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 792, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers requiring an affidavit of the consideration received before a new certificate of title is issued providing for the revocation of dealers' licenses and imposing penalties for violations.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 1, page 2, line 2, by striking out the words "and motor trucks"; Amend sec. 1, page 2, line 12, by striking out the words "and motor trucks".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 2, page 3, lines 4 and 5, by striking out the words "or motor trucks or parts or accessories therefor";

Amend sec. 2, page 3, line 6, by striking out the entire line, and inserting in lieu thereof "delivered prices established or suggested by the manufacturers thereof for new automobiles at the manufacturer's shipping point, plus transportation charges, the retail installed prices of any optional equipment and accessories selected by the retail purchaser and any applicable taxes."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 3, page 3, line 8, by striking out the words "or parts or accessories therefor"; Amend sec. 3, page 3, line 10, by striking out the word "the" and inserting in lieu thereof "such"; Amend sec. 3, page 3, line 11, by inserting after the word "established" the following: "or suggested"; Amend sec. 3, page 3, lines 11 and 12, by striking out the words "motor trucks parts or accessories"; Amend sec. 3, page 3, line 13, by striking out the word

"the" and inserting in lieu thereof "such"; Amend sec. 3, page 3, lines 13 and 14, by striking out the words "or motor truck".

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 4, page 3, lines 16 and 17, by striking out the words "motor trucks or parts or accessories for the same"; Amend sec. 4, page 3, line 19, by striking out the word "articles" and inserting in lieu thereof "automobiles"; Amend sec. 4, page 4, line 1, by striking out the word "articles" and inserting in lieu thereof "automobiles"; Amend sec. 4, page 4, lines 1 and 2, by striking out the words "and motor trucks"; Amend sec. 4, page 4, line 5, by striking out the words "or motor trucks".

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 5, page 4, lines 14 and 15, by striking out the words "or motor trucks shall refuse to sell the same unless" and inserting in lieu thereof "shall impose as a condition of any such sale any requirement that"; Amend sec. 5, page 4, line 16, by striking out the word "the" where it appears the first time in said line, and inserting in lieu thereof "such"; Amend sec. 5, page 4, line 16, by inserting after the word "established" the following: "or suggested"; Amend sec. 5, page 4, line 17, by striking out the words "or motor truck".

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 6, page 4, lines 18 and 19, by striking out the words "The Bureau of Motor Vehicles of the Department of" in line 18, and all of line 19; Amend sec. 6, page 5, lines 1 to 4, by striking out all of lines 1, 2 and 3, and the words "scribed by such Bureau of Motor Vehicles" in line 4, and inserting in lieu thereof "Upon the sale of any such automobile the seller shall deliver to the purchaser a bill of sale in duplicate"; Amend sec. 6, page 5, line 6, by striking out the words "or motor truck"; Amend sec. 6, page 5, lines 7 to 10, by striking out the words "and until such bureau has ascertained from such affidavit or" in line 7, and all of lines 8, 9 and 10.

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 7, page 5, line 12, by striking out the words "or motor trucks"; Amend sec. 7, page 5, lines 14 and 15, by striking out the words "or motor truck or parts or accessories therefor."

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 8, page 5, line 19, by striking out the word "purchases" and inserting in lieu thereof "sells"; Amend sec. 8, page 5, line 19, by striking out the words "or motor truck" and inserting in lieu thereof "which he has purchased".

The ninth section was read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend bill, page 6, by inserting between lines 6 and 7, the following: "Section 11. If any clause, sentence, paragraph or part of this act, or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act and the application of such provision to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered, and to the person or circumstances involved, it is hereby declared to be the legislative intent that this act would have been adopted had such invalid provisions not been included."

It was agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend sec. 11, page 6, line 7, by striking out the figure "11" and inserting in lieu thereof "12".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN offered the following amendments:

Amend title, page 1, line 2 of title, by striking out the words "or motor trucks"; Amend title, page 1, line 3 of title, by striking out the words "or parts or accessories therefor" and inserting in lieu thereof "or accessories sold herewith"; Amend title, page 1, line 4 of title, by inserting after the word "established" the following: "or suggested"; Amend title, page 1, line 4 of title, by striking out the word "manufacturer" and inserting in lieu thereof "manufacturers"; Amend title, page 1, line 4 from bottom of page, by inserting after the word "manufacturer's" the following: "established or suggested"; Amend title, page 1, last line on page, by striking out the words "an affidavit of" and inserting in lieu thereof "a duplicate bill of sale showing"; Amend title, page 2, line 1 at top of page, by striking out the words "before a new certificate of title is issued" and inserting in lieu thereof "to be delivered to the purchaser".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on second reading, entitled

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1021, on second reading, entitled

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May or thousand nine hundred twenty-one (P. L. 789) entitled: amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureau and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for relisting for certain licenses.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1043, on second reading, entitled

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on second reading, entitled

An Act providing for the payment of salary wage medical and hospital expenses of employees of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquent and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 720 CALLED FROM
SECOND READING POSTPONED CALENDAR

Mr. KEPHART. Mr. President, I call from the Second Reading Postponed Calendar Senate Bill No. 720, for consideration at this time on page 35 of today's calendar.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend section 1, page 2, line 13, by striking out after the word "of" and before the word "one" the following: "[July]" and inserting in lieu thereof the following: "February"; Amend section 1, page 2, line 13, by striking out at the end of the line thereof the following: "[forty-nine]" and inserting in lieu thereof the following: "forty-eight".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. WILSON. Mr. President, I desire unanimous consent to make a report from the Committee on Constitutional Changes and Federal Relations.

I am reporting House Bill 1188 and in reporting this bill I desire to say that every member of the committee, excepting one, who is absent today, has signified his desire to have this bill reported out and I take pleasure in reporting House Bill 1188 as committed.

Mr. WILSON from the Committee on Constitutional Changes and Federal Relations reported as committed, House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

Mr. FARRELL. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL from the Committee on Local Government reported as amended, Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June, one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class," increasing such salary.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 285, entitled:

An Act establishing the salary of the prothonotary in counties of the first class.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 802, entitled:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising.

Mr. DONLAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DONLAN from the Committee on Local Government reported as amended, House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May, one thousand nine hundred forty-three, (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors, and other employees; providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," increasing the compensation of assessors.

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY from the Committee on Local Government reported as amended, Senate Bill No. 12, entitled:

An Act to further amend section one of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by increasing the salary of the prothonotary in counties of the sixth class.

Mr. LORD. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LORD from the Committee on State Government reported as committed, Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of a certain tract of land in the city of Harrisburg, Dauphin County, Pennsylvania, containing approximately twenty-seven acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-Barre, Luzerne County, Pennsylvania, containing approximately fifty-one acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona, Blair County, Pennsylvania, containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 831, entitled:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties; providing for a Director of Public Safety and defining his powers and duties; defining the scope of existing safety agencies and making an appropriation.

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART from the Committee on Elections, reported as amended, Senate Bill No. 777, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies.

Mr. KLEIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KLEIN from the Committee on Local Government, reported as amended, House Bill No. 553, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation

of county auditors within this Commonwealth" increasing the compensation of county auditors.

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY from the Committee on Local Government, reported as amended, House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

Mr. WOODRING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOODRING from the Committee on Local Government, reported as amended, Senate Bill No. 173, entitled:

An Act to further amend section fourteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in the counties containing over one hundred and fifty thousand inhabitants," increasing the salary of the Recorder of Deeds in counties of the fourth class.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN from the Committee on Appropriations, re-reported as committed, House Bill No. 216, entitled:

An Act authorizing the joint state government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation.

SENATE BILL NO. 152 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing

for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals

and move a Committee of Conference on the part of the Senate be appointed.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 152

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, BERGER and ROSENFELD as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 152.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 218 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing procedure for rejection of nomination petitions, papers or certificates.

and move a Committee of Conference on the part of the Senate be appointed.

Mr. DONLAN. Mr. President, I second the motion. The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 218

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. FARRELL, KEPHART and JASPAN as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 218.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I ask that Senate Bill 834 not be read for the first time; that is the monstrosity, the Homsher-Berger Bill.

The PRESIDING OFFICER. Objection having been made, Senate Bill 834 will appear on tomorrow's first reading calendar.

And the question recurring,

Will the Senate agree to the motion as amended?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," increasing fees to be charged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 12, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 173, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton, Northampton County, Pennsylvania damaged by flood waters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 285, entitled:

An Act establishing the salary of the prothonotary in counties of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" increasing the compensation of county auditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situated in Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands, for the tax year one thousand nine hundred forty-four and previous years, shall be liens, and during which the county treasurer shall have the right to sell the lands, on which such taxes are liens, for the payment of such taxes; reviving such liens, and restoring the treasurer's right to sell such lands in certain cases; and saving the rights of intervening purchasers, mortgagees, lien holders, and other encumbrance holders.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings, the furnishing of housing and other facilities and services, the purchase of equipment and supplies, and for other necessary expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children, as well as family groups, industrial workers, and others.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloisters an important historical shrine belonging to the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania known as "Old Economy."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further changing the provisions for markers and headstones at the graves of deceased service persons, and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State

employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" and "original member" to include Members of the General Assembly at their option and permitting such members to retire under certain circumstances and defining "year of service".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board, and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 776, entitled:

An Act making an appropriation to the Department of Public Instruction to establish an experimental program in the education of the deaf and hard of hearing children in their local environments, administrated and supervised by the Department of Public Instruction.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 777, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses, and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act

to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' colleges.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 802, entitled:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto, increasing maximum appropriation which may be made for agricultural extension work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of a certain tract of land in the city of Harrisburg, Dauphin County, Pennsylvania, containing approximately twenty-seven acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-Barre, Luzerne County, Pennsylvania, containing approximately fifty-one acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona, Blair County, Pennsylvania, containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability transferring powers and imposing duties on the State Council of Education and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties; providing for a Director of Public Safety and defining its powers and duties; defining the scope of existing safety agencies and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote rural and home safety education.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act authorizing the Department of Property and applies with the approval of the Governor and the Commissioner of the Pennsylvania State Police, to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney, Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 4), entitled "An act prescribing temporary emergency provisions with respect to the administration of cer-

tain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reassignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further defining substitutes and regulating their employment; and further providing for reimbursement of school districts employing substitutes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 928, entitled

An Act making an appropriation to the Trustees of the George, Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1004, entitled

An Act making an appropriation to the Pennsylvania Department of Highways for roads, paths and parking areas on the Daniel Boone Homestead property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate; declaring such taxing authority trustee for other taxing authorities, and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the banking Department Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown

Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies, for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1260, entitled:

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund, and service requirements on the State debt.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1397), entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania; authorizing the storage of such records in available buildings or the construction of a new building to accommodate them, if necessary; and making an appropriation therefor."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1262, entitled:

An Act making an appropriation to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridges thereon, through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools, situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry, to meet the obligation of the Commonwealth, to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, (P. L. 1395), entitled "An act authority the Department of Property and Supplies with the approval of the Governor, to acquire, by condemnation or purchase, land or land and buildings within the City of Philadelphia, and within the City of Pittsburgh, or the County of Allegheny; and to construct, alter, improve and equip such property for use of the Commonwealth; providing for the maintenance thereof; and making an appropriation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education and research.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1332, entitled:

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1336, entitled:

An act making an appropriations to the Berean Manual Training School, at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do no adjourn until Wednesday, June 4, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. T. NEWELL WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:22 o'clock, p. m., Eastern Standard Time until Wednesday, June 4, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 3, 1947

The House met at 12:00 noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the chair.

PRAYER

Rev. Dr. Ebenezer Flack, retired minister of the Kingston Presbyterian Church of Kingston, Luzerne County, guest of his son, the Hon. Harold E. Flack, offered the following prayer:

Eternal and ever-blessed God—

In Thee we live and move and have our being.

Creator, preserver and bountiful benefactor—Thou art failing in meeting the needs of Thy creation.

We thank Thee for Thy goodness; Thy providence is concerned with the affairs and destinies of men and nations.

Thou hast bestowed upon us a goodly heritage in this land of plenty and liberty. Favored as we are, may our hearts be touched with a deep tenderness, pity and sympathy for those who are less favored in these dark and bewildering days of reconstruction following a long and cruel war. May we have burned into our hearts and consciences our responsibilities in this day of world need.

We thank Thee for the great state in which our lot is cast, for its leadership in things that are worth while.

May Thy servant our Governor be endowed with wisdom and understanding as he meets the great responsibilities that are his. Keep him in health, and guide him to right decisions in the administration of his office.

May he and all those entrusted with responsibilities of government—the members of our state and national legislatures, Thy servants now bowed in reverent attitude before Thee, seek divine wisdom day by day so that it may be made clear to them what Thy will is, and may they have courage to stand for those great and fundamental principles of righteousness that today as in the past exalt a nation. May Thy servant the President of our country be specially favored by Thy protecting care.

Amid all the confusions of these difficult days may the leadership of the Son of Righteousness be recognized by all entrusted with government authority in states and nation.

Light, understanding, sympathy, courage and the many good things that Thou art ready to give to those who seek Thy face, may these and all other good qualities and graces be given in rich abundance to Thy servants.

With all our shortcomings Thou art always merciful and forgiving. Give grace to dare and do the right, and give the humble spirit when failure in duty is recorded.

We ask in the Name which is above every Name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, June 2, 1947.

The Clerk proceeded to read the Journal of Monday, June 2, 1947, when, on motion of Mr. JOHNSON unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 101.

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 172.

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals.

Referred to the Committee on Military Affairs.

SENATE BILL No. 533.

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public position or on public works in certain cases.

Referred to the Committee on Military Affairs.

SENATE BILL No. 546.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals and the record of magistrates

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 588.

An Act to further amend section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the furnishing of free transportation or board and lodging in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 634.

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection.

Referred to the Committee on State Government.

SENATE BILL No. 635.

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates.

Referred to the Committee on State Government.

SENATE BILL No. 645.

An Act to amend the title and section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act to Congress known as the "Service-men's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" extending the provisions thereof to loans made insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation.

Referred to the Committee on Judiciary.

SENATE BILL No. 707.

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 726.

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions thereof and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other building devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights power duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court

in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

Referred to the Committee on Judiciary.

SENATE BILL No. 741.

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositors of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 762.

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five, (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employees in fire departments.

Referred to the Committee on Municipal Corporations.

PUPILS OF MONT CLARE PUBLIC SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have as guests in the Hall of the House this afternoon the eighth grade graduating class of the Mont Clare Public Schools of Montgomery County, under the supervision of Miss Barnett, Principal, and Miss Aman, and Miss Davis, Teachers. They are here as the guests of the Montgomery County delegation.

The SPEAKER. The Chair requests the Minority Leader, the gentleman from Cambria, Mr. Andrews, to preside.

MR. ANDREWS IN THE CHAIR

REPORTS FROM COMMITTEES

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 726, entitled:

An Act to amend section two of the act approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295), entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by fixing a limit for taxes to be levied on real estate.

Mr. VAUGHAN from the Committee on Cities and

County—Second Class, reported as committed, House Bill No. 805, entitled:

An Act to amend section twenty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-five (P. L. 561), entitled "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission for the selection of jurors in such counties, and prescribing its power and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employees, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employees; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," increasing the salaries of members of the commission.

Mr. STONIER from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 834, entitled:

An Act to add section five point one to the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643, No. 510), entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," permitting employees of the office of the collector of taxes to become members of the city retirement system under certain conditions.

Mr. GALLAGHER from the Committee on Insurance reported as committed House Bill No. 981, entitled:

An Act to amend subsection A of section six hundred eighty-five of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and enlarging the powers of title insurance companies which do not have any right or power to accept or receive deposits or otherwise engage in a banking business or to act as trustee, guardian, executor, administrator or in any similar fiduciary capacity.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas, over and terminer and general jail delivery, quarter sessions of the peace, County Court of Allegheny County, and orphans' courts in counties of the second class.

Mr. HEWITT from the Committee on Appropriations, reported as committed, House Bill No. 1322, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings, the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Mr. WALDRON from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases.

Mr. LAUGHNER from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 139, entitled:

An Act to add section nineteen point one to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for the acceptance of said act by cities.

Mr. KLINE from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 240, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary power including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business

Mr. YEAKEL from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Mr. KRISE from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 383, entitled:

An Act to amend the title and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by further prescribing the powers of said licensees and the Secretary of Banking; and further regulating the granting of said licenses, and the loans, charges, interest and refunds to be made or collected by such licensees.

Mr. LEISEY from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 491, entitled:

An Act to further amend Subsection C of Section two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the establishment of branch offices and sub-agencies and for the approval thereof by the Department of Banking and the Banking Board.

Mr. WATSON from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further regulating the making of installment loans.

Mr. GIBSON from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 556, entitled:

An Act to further amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments and limitations upon loans and discounts of savings banks.

Mr. BAUMUNK from the Committee on Highways, reported as committed, Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes, and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

Mr. JONES from the Committee on Highways, reported as committed, Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages.

Mr. STOCKHAM from the Committee on Highways, reported as committed, Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

Mr. KIRLEY from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities; providing for its officers and employees; defining the powers, duties and jurisdiction of said department, and in certain cases transferring the same from existing departments," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

Mr. GYGER from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

Mr. DAGUE from the Committee on Judiciary, reported as committed, Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation au-

thorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding

Mr. BANE from the Committee on Judiciary, reported as committed, Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employees in fire departments.

Mr. WACHHAUS from the Committee on Appropriations, re-reported as committed, House Bill No. 568, entitled:

An Act establishing the Port of Chester creating the Port of Chester Commission prescribing its powers and duties and making an appropriation.

Mr. TOMPKINS from the Committee on Judiciary, re-reported as committed, House Bill No. 610, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing a penalty for counterfeiting, theft, removal or transfer of certificates of inspection and providing for prosecutions.

Mr. WALDRON from the Committee on Cities and Counties—Second Class, reported as amended, House Bill No. 492, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts judges, prothonotaries, sheriffs, county commissioners peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the compensation and raising the maximum compensation in certain cases.

Mr. PROPERT from the Committee on Municipal Corporations, reported as amended, House Bill No. 978, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities of the third class or boroughs and regulating the proceedings pertaining thereto.

Mr. STUART from the Committee on Education, reported as amended, House Bill No. 1023, entitled:

An Act to further amend section five hundred and sixty-three as amended, of the act, approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the budgetary control of all expenditures and designating the funds that may legally be expended during the fiscal year.

Mr. O'NEILL from the Committee on Appropriations, reported as amended, House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Mr. TAHL from the Committee on Appropriations, reported as amended, House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven.

Mr. TURNER from the Committee on Appropriations, reported as amended, Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as amended, Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time heretofore or hereafter spent in military service in time of war or national emergency in counties of the second class.

Mr. ALBERT W. JOHNSON from the Committee on Judiciary, reported as amended, Senate Bill No. 169, entitled:

An Act authorizing the arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent, and making uniform the law relating thereto.

Mr. ALBERT W. JOHNSON from the Committee on Judiciary, reported as amended, Senate Bill No. 170, entitled:

An Act authorizing the compromise of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

Mr. BENTZEL from the Committee on Education, reported as amended, Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three, clauses (b) and (e) of section eight hundred fourteen, sections one thousand four hundred four and one thousand four hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating plans to merge and the merger of school districts, transportation and routes and contracts pertaining thereto and authorizing transportation of pupils on tours to points within the Commonwealth.

Mr. SERRILL from the Committee on Highways, reported as amended, Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated

towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages, in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

Mr. KLINE from the Committee on Insurance, reported as amended, Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for qualifications and licensing of excess insurance brokers in all kinds of insurance other than life

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend section two of the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy collection and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act to amend section twenty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-five (P. L. 561), entitled "An act to provide for the selection of jurors to serve in the several courts, criminal and civil, of counties of the second class, and defining the qualifications of such jurors; providing for the organization of a commission for the selection of jurors in such counties, and prescribing its powers and duties, and authorizing it to investigate as to the qualifications of prospective jurors; imposing the expense of maintaining and operating said commission upon said counties, and requiring the county commissioners to provide suitable quarters, equipment, and supplies; authorizing the employment of the necessary clerks and other employees, and providing for a salary board composed of the commission, the county commissioners, and the controller of said counties, to fix the number and compensation of such employees; requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service; repealing inconsistent legislation; and prescribing punishment for the violation hereof," increasing the salaries of members of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act to add section five point one to the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643, No. 510), entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," permitting employees of the office of the collector of taxes to become members of the city retirement system under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 981, entitled:

An Act to amend subsection A of section six hundred eighty-five of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the laws providing for the incorporation of insurance companies, and the regulation, supervisions and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and five insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining and enlarging the powers of title insurance companies which do not have any right or power to accept or receive deposits or otherwise engage in a banking business or to act as trustee, guardian, executor, administrator or in any similar fiduciary capacity.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, County Court of Allegheny County, and orphans' courts in counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1322, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State College for the erection of a building or buildings, the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 139, entitled:

An Act to add section nineteen point one to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for the acceptance of said act by cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State Departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 383, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees

and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 491, entitled:

An Act to further amend Subsection C, of Section two hundred four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the establishment of branch offices and sub-agencies; and for approval thereof by the Department of Banking and the Banking Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act to further amend the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments and limitations upon loans and discounts of savings banks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes, and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the sharing of the payment of the damages for changes of width, lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five, (P. L. 1242) entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of

Highways and by the Department of Highways relating thereto" by changing the procedure relating to change made by the Secretary in boroughs.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities providing for its officers and employees; defining the powers, duties, and jurisdiction of said department, and in certain cases transferring the same from existing department," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleo margarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleo margarine, butterine or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employees in fire departments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

FORMER MEMBERS WELCOMED

The SPEAKER pro tempore. The Chair is very pleased to note the presence in the House of two former members, each from Philadelphia, who once graced this chamber. The Chair would ask Miss Mary Varallo and Mrs. Josephine Coyle to rise. The Chair can assure the ladies from Philadelphia that he very much regrets their absence from the House.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 787

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 787, Printer's No. 789, entitled "An Act to further amend sections four and five of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors

to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making appropriation' by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions."

JAMES H. DUFF.

QUESTION OF INFORMATION

Mr. CHUDOFF. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state his question of information.

Mr. CHUDOFF. Mr. Speaker, I should like to know whether the gentleman from Philadelphia, Mr. Trent, is still a member of this House.

The SPEAKER pro tempore. As far as I am informed, the gentleman is not on the rolls of the House.

Mr. CHUDOFF. I want to call the Speaker's attention to page 1761 of the Legislative Journal, in which Mr. Trent is listed as not voting on Senate Bill 148.

The SPEAKER pro tempore. It is purely a typographical error, I have no doubt. The Chair thanks the gentleman from Philadelphia. Perhaps they might have needed him on that roll call; I don't know.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION RECALLING HOUSE BILL No. 445

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 445, Printer's No. 447, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

BILL AND COMMUNICATION LAID ON TABLE

Mr. PROPERT. Mr. Speaker, I move that the bill, together with the communication, be laid on the table.

The motion was agreed to.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Andrews, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 214, entitled:

An Act to reenact and amend the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 18) entitled "An act authorizing during the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" extending the provisions thereof for an additional period of time

The first section was read.

On the question,

Will the House agree to the section?

Mr. HOFFMAN offered the following amendment:

Amend Sec. 1, page 3, line 17, by inserting after the word "determine" the following "Provided however, That the provisions of this act shall not apply to any city or county of the first class."

It was agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HOFFMAN offered the following amendment:

Amend Title, page 2, last line of title, by inserting after the word "time" the following "and excluding therefrom cities and counties of the first class."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 551, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of and users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals rates or charges may be imposed and the proceeds thereof used Adding purposes including the design and construction of new or additional sewers sewerage systems and sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utilities Commission in connection therewith authorizing the shut off of water supply in certain cases

and making it unlawful to discharge harmful industrial wastes into any municipal sewer

The first section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendments:

Amend sec. 1 (Sec. 1), page 5, line 10, by underscoring the letter "(c)".

Amend sec. 1 (Sec. 1), page 5, line 14, by underscoring the word "or" where it appears the first time in said line

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendments:

Amend sec. 2, (Sec. 8), page 19, line 8, by inserting after the word "therefrom" the following: "In fixing such rentals, rates, charges or assessments, classification of users may be made, with graduated rentals, rates, charges or assessments, determined by the character of the use and the quantity, kind and nature of the use."

Amend sec. 2, (Sec. 8), page 19, line 14, by striking out the words "superior court" and inserting in lieu thereof "Superior Court."

Amend sec. 2 (Sec. 10), page 20, line 2, by striking out the word "federal" and inserting in lieu thereof "Federal."

Amend sec. 2, (Sec. 10), page 20, line 12, by striking out the word "federal" where it appears the first time in said line and inserting in lieu thereof "Federal."

Amend Sec. 2 (Sec. 10), page 20, line 12, by striking out the word "federal" where it appears the second time in said line, and inserting in lieu thereof "Federal."

Amend sec. 2 (Sec. 10), page 20, line 20, by striking out the word "federal" and inserting in lieu thereof "Federal."

Amend sec. 2 (Sec. 12), page 22, line 8, by striking out the word "industrial" and inserting in lieu thereof "industrial."

Amend sec. 2 (Sec. 13), page 22, line 13, by striking out the word "meaning" and inserting in lieu thereof "meanings."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 638, entitled

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonds and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of money erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof

f all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by notaries

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 682, entitled:

An Act declaring certain organizations groups or societies subversive and certain persons disloyal citizens or undesirable aliens within this Commonwealth and making unlawful in certain cases for any person to assist aid or abet such subversive associations or such persons and making all persons violating this act ineligible to hold public office or public employment or office in certain other organizations or corporate bodies as well as subject to certain fines or imprisonment or both

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 896, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" increasing the compensation and mileage allowance of members of the General Assembly

The first section was read.

On the question,

Will the House agree to the section?

Mr. KLINE offered the following amendments:

Amend sec. 1 (sec. 1), page 2, lines 11, 12 and 13, by striking out the words "[three thousand dollars (\$3000)]" line 11, all of line 12, and the figure "(\$4800)" in line

13, and inserting in lieu thereof "three thousand dollars (\$3000)."

Amend sec. 1 (sec. 1), page 2, lines 13 and 14, by striking out the words "payable in equal monthly installments throughout the biennium."

Amend sec. 1 (sec. 1), page 2, line 15, by striking out the word "[five] ten" and inserting in lieu thereof "five."

Amend sec. 1 (sec. 1), page 3, line 1, by striking out the words "[five hundred dollars (\$500)] fifteen dollars (\$15) a day" and inserting in lieu thereof "five hundred dollars (\$500)."

Amend sec. 1 (sec. 1), page 3, line 2, by striking out the bracket before the word "lasting."

Amend sec. 1 (sec. 1), page 3, line 5, by striking out the bracket after the word "more."

Amend sec. 1 (sec. 1), page 3, line 6, by inserting a bracket before and after the word "except" and inserting immediately thereafter the following: "Each member of the General Assembly shall receive an allowance for his expenses of one hundred dollars (\$100) per month payable monthly throughout the biennium, and."

Amend sec. 1 (sec. 1), page 3, by inserting after line 8, the following: "Section 2. The expense allowance provided for by this act shall commence as of the first day of June, one thousand nine hundred forty-seven."

Section 3. The provisions of this act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. KLINE offered the following amendment:

Amend title, page 1, next to last line and last line of title on said page, by striking out the words "increasing the compensation and mileage allowance of" and inserting in lieu thereof "providing a monthly expense allowance for."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76

Senate Bill No. 580, Printer's No. 426

Senate Bill No. 680, Printer's No. 305 and

Senate Bill No. 736, Printer's No. 370

were passed over at the request of the SPEAKER.

PUPILS OF EAST BROOK HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to have as guests at this afternoon's session a class from the East Brook High School of Lawrence County, accompanied by their principal, Professor Watson, and their vocational instructor, Mr. Fox. They are here as the guests of the Representative from Lawrence County, Mr. McCullough.

RECESS

The SPEAKER. If there is no objection, the Chair will now declare a recess until 2:00 p. m. EST for the purpose of holding a Republican Caucus immediately in the New House Caucus Room. The Chair hears no objection, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED
IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 78.

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contribution and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employers contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

SENATE BILL No. 284.

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty.

SENATE BILL No. 334.

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to bor-

row money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities authorizing Authorities to charge the cost of constructing lateral sewers against properties benefitted improved or accommodated thereby making such changes liens providing for the enforcement thereof and authorizing Authorities to change tapping fees for sewer connections.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 577.

An Act making a deficiency appropriation to aid certain school districts.

HOUSE BILL No. 750.

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds.

HOUSE BILL No. 948.

An Act making an appropriation to the Local Government Commission to continue its work.

HOUSE BILL No. 1088.

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations

HOUSE BILL No. 1118.

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

HOUSE BILL No. 1316.

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

HOUSE BILL No. 1318.

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

HOUSE BILL No. 1334.

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

With the information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 2, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, June 9, 1947, at three o'clock p. m. Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, June 9, 1947 at three thirty o'clock p. m. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 783, 784, 786, 797, 387, 455, 79, 558, 596, 597, 654, 778 and 717.

SELECT COMMITTEE ON RECOGNITION RESOLUTIONS

The SPEAKER. Without objections the Chair appoints the following Select Committee on Resolutions of Recognition: Messrs. Stockham, chairman; Charles C. Smith, Antess, Fleming, Vaughan, Cadwalader, Lovett, Turner, Little, Bentzel, Watkins, Flack, Leisey, O'Neill, Hewitt, Cook, Chervenak, Bane, Dennison, Dix, Hoffman, Hall, and Mrs. Dye.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 964, as follows:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as last amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1213) are hereby further amended to read as follows

Section 34 Annual appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be to the standard requirements in strength discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and

benefit of the organization For all troops at the rate of ten dollars (\$10) per man per year Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars (\$1,000) per year regardless of the actual strength of the organization and Provided That no company troop battery detachment or similar organization shall receive less than a minimum sum of [three] two hundred dollars per year Such allowances shall be computed by the Adjutant General from the [allotted] actual strength of the unit as of June first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commanders but it shall be the duty of the Adjutant General before paying any of the said allowances to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of the same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however That any regiment battalion squadron or company may at its own expense provided itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 38 Necessary Expenses of Headquarters The necessary military expenses of division brigade regimental and separate battalion or similar headquarters including clerk hire and other actual outlays shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed [nine thousand dollars (\$9,000) for a division headquarters seven thousand dollars (\$7000) for an observation squadron one thousand dollars (\$1000) for each brigade headquarters two thousand dollars (\$2000) for each regimental headquarters and one thousand dollars (\$1000) for each headquarters of special troops These allowances shall be augmented in the amount of ten thousand dollars per year which sum shall be apportioned by the Adjutant General to the various headquarters in proportion to the distance traveled between the respective headquarters and their subordinate units or between the respective regimental brigade and division headquarters for official attendance at military conferences]

Five thousand dollars (\$5000) for a State Staff

Ten thousand dollars (\$10,000) for a Division Headquarters

Five thousand dollars (\$5000) for an Anti Aircraft Artillery Brigade

Five thousand dollars (\$5000) for an Air Wing National Guard

Two thousand dollars (\$2000) for a Regimental Headquarters

One thousand dollars (\$1000) for a Headquarters 166th Field Artillery Battalion

One thousand dollars (\$1000) for a Headquarters Field Artillery Brigade

One thousand dollars (\$1000) for a Headquarters of each Separate Battalion

One thousand dollars (\$1000) for Headquarters Corps Field Artillery

One thousand dollars (\$1000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars (\$500) for each Headquarters AA Searchlight Battalion

Two hundred fifty dollars (\$250) for each Headquarters Antiaircraft Artillery Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars (\$250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Group

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars (\$250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars (\$250) for Headquarters Fighter Group

The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 2 This Act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsche,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Effenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,

Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Floor,

Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Laver,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 694, as follows:

An Act creating a Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia defining the powers and duties of said commission providing for participation in the said exposition and making an appropriation to the Department of Commerce for the use of said commission

Section 1 A commission is hereby created to be known as the Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia The commission shall be composed of nine (9) citizens of whom the Governor shall appoint three (3) citizens of the Commonwealth, the President pro tempore of the Senate shall appoint three (3) Senators and the Speaker of the House of Representatives shall appoint three (3) Members of the House The commission shall organize at the call of the Governor by electing a chairman vice-chairman and secretary The secretary need not be a member of the commission

The members of the commission shall not receive any compensation for their services but shall be reimbursed for all expenses incurred in the performance of their duties

The commission shall have power to employ such assistants clerks and other employes as may be deemed necessary and to fix their compensation and the compensation of the secretary

Five (5) members of the commission shall constitute a quorum for the transaction of business

Section 2 It shall be the duty of the commission to provide for full participation by the Commonwealth in the Centennial and Victory Exposition of Liberia beginning the twenty-sixth day of July one thousand nine hundred forty-seven to provide for exhibits showing the agricultural industrial coal mining scientific and the scenic and historic interest of the Commonwealth to cooperate with agencies of the State Government and political subdivisions thereof and with private interests in providing and arranging such exhibits to obtain space for such exhibits by lease or as far as feasible by the erection and construction of a proper building through the Department of Property and Supplies in the manner provided by the Administrative Code of one thousand nine hundred twenty-nine and its amendments and to do all such other acts as may be deemed necessary or appropriate by the commission to enable the Commonwealth and the people thereof to be represented at said exposition commensurate with the importance of the Commonwealth

Section 3 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of

Commerce for the use of the Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia for the payment of the expenses of the members of the commission for the compensation and expenses of the secretary and other employees for the leasing of exhibit space for the erection construction and equipment of a building for providing exhibits for light heat power postage telephone telegraph freight and express charges for automobile hire and for all other incidental expenses deemed necessary by the commission to carry into effect the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

- | | | | |
|-------------|---------------|----------------|----------------|
| Aaronson, | Frost, | McCosker, | Sax, |
| Andrews, | Gallagher, | McCullough, | Scanlon, |
| Bane, | Getchey, | McDonald, | Schuster, |
| Barrett, | Gibson, | McKinney, | Scott, |
| Baumunk, | Goff, | McMillen, | Serrill, |
| Beech, | Goodling, | Mihm, | Shoemaker, |
| Bender, | Gorman, | Mikula, | Simons, |
| Bentzel, | Graybill, | Miller, | Smith, C. C., |
| Bloom, | Greenwood, | Mills, | Smith, C. M., |
| Boies, | Greer, | Mintess, | Snider, |
| Bonawitz, | Griffiths, | Mohr, | Sollenberger, |
| Boorse, | Guthrie, | Mooney, | Sorg, |
| Bower, | Gyger, | Moore, C. E., | Sproul, |
| Brelsch, | Hall, | Moore, H. A., | Stank, |
| Brice, | Haller, | Morrison, | Stimmel, |
| Brown, | Haudensfield, | Murray, | Stockham, |
| Brunner, | Helm, | Myers, | Stonier, |
| Bucchin, | Henry, | Najaka, | Stuart, |
| Cadwalader, | Hewitt, | Naumann, | Swope, |
| Capano, | Hocker, | Needham, | Tahl, |
| Cassidy, | Hoffman, | Neff, | Thomassy, |
| Chervenak, | Hoopes, | Nelson, | Thompson, |
| Chudoff, | Horan, | O'Connor, | Tittle, |
| Clevenger, | Imbt, | O'Dare, | Tompkins, |
| Cochran, | Jennings, | O'Donnell, | Toomey, |
| Cole, | Johnson, | O'Neill, | Turner, |
| Cook, | Johnston, | Orban, | Upshur, |
| Cooper, | Jones, | Patten, | Vaughan, |
| Cordier, | Jump, | Petrosky, | Verona, |
| Costa, | Kean, | Pichney, | Wachhaus, |
| Crowley, | Kelley, | Pickens, | Wagner, |
| Dague, | Kemp, | Polaski, | Waldron, |
| Dalrymple, | Kent, | Powers, | Wallin, |
| Davison, | Kirley, | Price, | Walton, |
| De Long, | Kline, | Propert, | Waterhouse, |
| Demech, | Kohl, | Ragot, | Watkins, |
| Dennison, | Kratz, | Readinger, | Watson, |
| Depuy, | Krise, | Reagan, | Weidner, |
| Dix, | Kurtz, | Reese, D. P., | Weiss, |
| Dye, | Laughner, | Reese, R. E., | Wescott, |
| Efenberg, | Lee, | Reilly, J. M., | West, |
| Elder, | Lelsey, | Reilly, W. J., | Wheeler, |
| Erb, | Livingston, | Richter, | Wolf, |
| Evans, | Livingstone, | Riley, | Wood, |
| Ewing, | Loftus, | Robbins, | Worley, |
| Feola, | Lovett, | Robertson, | Yeakel, |
| Flash, | Lyons, | Root, | Yester, |
| Fiss, | Madden, | Rose, | Yetzer, |
| Flack, | Madigan, | Rowen, | Young, |
| Fleming, | Mazza, | Royer, | Lichtenwalter, |
| Foor, | McCormack, | Sarra, | Speaker. |

NAYS—0

NOT VOTING—2

Layer,
Trout,
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 786, as follows:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" allowing counties to retain the excess over the amount of taxes penalties interest and costs due on real property sold by county commissioners at private or public sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" is hereby amended by adding after section seventeen thereof a new section to read as follows

Section 17.1 Whenever the county commissioners sell at private or public sale real property which was acquired by them at a County Treasurer's sale for nonpayment of taxes and the price obtained at such county commissioner's sale is in excess of the amount of taxes penalties interest and costs due such excess shall belong to the county and shall be paid into the county treasury

Section 2 This act shall be retroactive so as to apply to any undistributed funds derived from any public or private sale of real property heretofore held by the county commissioners

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to ask the sponsor of the bill what is the present method of apportioning the excess of the amount of tax penalties of a sale when a property is sold for taxes, and the amount received is in excess of the amount of taxes?

The SPEAKER. If there is no objection, the gentleman from Montgomery, Mr. Brunner, will answer the interrogation. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker. May I state that the sponsor has asked me to represent him on interrogation in regard to this bill.

To answer the gentleman's question, I do not believe that there is any prescribed procedure at this time. I think that some of the counties apportion it back to the

subdivision where the property was located,—the amount of charges against the real estate. It is also my understanding that some of the counties retain the entire amount.

Mr. ANDREWS. Mr. Speaker, then under this bill if the amount of taxes totals two thousand dollars, and the property sold for three thousand dollars, the county would keep the one thousand dollars and nothing would go back to the other political subdivisions?

Mr. BRUNNER. That is my understanding, Mr. Speaker.

May I state that I think the gentleman's hypothetical question is a little extreme or far-fetched, but I believe that that is the purport of this bill.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker. This is a thoroughly bad bill.

Mr. O'CONNOR. Mr. Speaker, first of all I want to say that I know the sponsor of this bill introduced it with very good intentions, as I conferred with him about the bill. Now, the practice today, as I have knowledge of it, is not such as you have just heard explained by my learned friend from Montgomery county. Those of us who are familiar with tax sales know that when a property is sold for non-payment of taxes by the county treasurer, if there is no one present at that sale to bid the total amount of taxes, penalties and interest against that property the county must buy. When it is knocked down to the county by the county treasurer, the county does not pay one cent of it. It remains in the county's hands until the county sells it at either private or public sale.

Our Superior Court in a lengthy opinion by the judge who is now the president judge, outlined exactly how the money received from the sale, either private or public of the real estate bought by the County Commissioners, is to be distributed, and it is definitely set forth how it is to be done.

I believe all of you know that the taxes assessed against a piece of property for borough, road or school purposes far exceeds the amount of taxes assessed against the same piece of real estate by the county. I know in my own county the average levy for school purposes is twenty-five mills; the average levy for road purposes is eleven mills, and the levy for county purposes is six mills, making a total millage levied against each piece of real estate of forty-two mills. Out of that forty-two mills of money six mills, or one seventh of the levy, or one seventh of the amount of taxes assessed against the real estate, belongs to the county. The other six seventh rightfully belongs to the other tax levying districts within the county. In our county where the price received by the county commissioner for this real estate is in excess of the total amount due against the property, or does not equal it, that money is divided proportionately among the several tax levying districts, and to change this system now, Mr. Speaker, I think would be grossly unfair.

Section 2 of this act says that it shall be retroactive. In my humble opinion nothing could be more unfair to a great number of the good citizens of this Commonwealth. In the past every member of council in third class cities, every member of a borough council, every township supervisor and every school director over a period of years who have levied taxes, and then have followed the advice of their own solicitor, know that it would be

ill advised to go to the expense of filing tax liens against the property just to let it go, and then it would be sold at a Treasurer's sale, when they would receive the money, or wait until the County Commissioners sell it at public or private sale, when they receive the money. If these local officers did that, then they were doing exactly what the law in Pennsylvania requires them to do. The law in Pennsylvania also permits the tax levying districts to buy these properties.

The point I wish to make is this, that it would be impossible for any board of supervisors of any county, any board of public education to have attended a sale through their representatives and bid in these properties and then to have sold them to make a profit, instead of going along with this bill. I honestly believe that every citizen of Pennsylvania who has served in any of these capacities over a period of years would be held up to undue and unjust criticism for doing what was his duty under the law.

Now, I would also call attention to the fact that every solicitor of cities of the third class, and every borough solicitor, every school solicitor and every township solicitor in Pennsylvania for having advised every district to comply with the law, and if you pass this law it will place them in the position where they will be punished and the district will be punished because they did comply with the law, and I hope that this bill will be defeated.

Mr. BRUNNER. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. O'Connor.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. O'CONNOR. I shall, Mr. Speaker.

Mr. BRUNNER. Mr. Speaker, I would like to ask the gentleman, for the information of the Members of the House, whether it is not a fact that land taken in by the county at a Treasurer's sale is what is known as unimproved land.

Mr. O'CONNOR. It is not, Mr. Speaker.

Mr. BRUNNER. Mr. Speaker, would the gentleman say it is generally so.

Mr. O'CONNOR. Not to be facetious, Mr. Speaker, but that depends entirely on the land.

Mr. BRUNNER. May I ask the gentleman this question, is it not a fact that the county has acquired this real estate and it can be sold to an individual with the approval of the court?

Mr. O'CONNOR. That is correct, Mr. Speaker.

Mr. BRUNNER. Mr. Speaker, at the time the petition is presented to the court, the court asks whether there is anyone in the courtroom who is interested in the property and at that time an opportunity is given for people other than the purchaser or the petitioner to make a bid.

Mr. O'CONNOR. That is not the practice that I know of, Mr. Speaker or as I have observed. At the time of the offer or the time the petition is presented to the court by the County Commissioners, setting forth the fact that they have received an offer, the court decrees that notice be given the other tax levying districts which have tax claims against this particular real estate and they are given a chance to object, and in the event there are no objections filed when the date of the hearing comes around the court as a matter of course signs the decree.

Mr. BRUNNER. Mr. Speaker, may I ask the gentleman

whether Cambria County follows that procedure as he just described.

Mr. O'CONNOR. It does, Mr. Speaker.

Mr. BRUNNER. Mr. Speaker, does the gentleman know of any other counties which do not follow the procedure?

Mr. O'CONNOR. I don't know all of them but I would not dispute that they did.

Mr. BRUNNER. Therefore, Mr. Speaker, the procedure which I related to the gentleman could obtain in other counties besides Cambria county?

Mr. O'CONNOR. Yes, Mr. Speaker, and I think it is a very good procedure.

Mr. BRUNNER. Mr. Speaker, is it not also the practice that in counties where an offer is submitted to the County Commissioners that the sale price represents the total amount of indebtedness against the property as a general rule?

Mr. O'CONNOR. Mr. Speaker, if I understand the gentleman's question, if the offer is equal to the amount of taxes due—

Mr. BRUNNER. That is right, Mr. Speaker.

Mr. O'CONNOR. In answer to the gentleman, Mr. Speaker, then I would say that in at least 95 percent of the cases with which I am familiar, that is not true. The offer is much less.

Mr. BRUNNER. Mr. Speaker, is it my understanding that the gentleman said that in 95 percent of the cases where a property is sold by the County Commissioners the sum realized is less than the total amount of the indebtedness?

Mr. O'CONNOR. That is correct, Mr. Speaker.

Mr. BRUNNER. Then, Mr. Speaker, if my conclusion is correct, the remaining 5 percent of the cases are cases in which the gentleman is arguing with regard to this bill?

Mr. O'CONNOR. That is correct, Mr. Speaker.

Mr. BRUNNER. It is conceivable that the percentage that he is debating at the present time might be less than 5 percent?

Mr. O'CONNOR. Sure, Mr. Speaker, and it could be a great deal more sometimes.

Mr. BRUNNER. I thank the gentleman.

Mr. Speaker, I think that under the circumstances the membership of this House should vote for this bill. As the gentleman himself has related, in at least 95 percent of the cases where the Commissioners sell real estate the amount is less than the total amount owed against the property. I think in some of the cases the property is sold for the actual amount of indebtedness, and therefore in but a few instances are these tracts sold for more than the amount due. I know that in Montgomery County the county does considerable with regard to this land which it possesses. They have representatives of the County traveling around to inspect the nature of the land, to see how it is being maintained, to see the character of it, and they do not do so at any expense to the purchaser at any subsequent sale. I think under the circumstances that is a representative practice, and I think the bill should pass.

Mr. O'CONNOR. Mr. Speaker, what the gentleman from Montgomery says about the properties owned by the county may be true, but we must not forget the fact that when the properties are owned by the county the county

collects the rents from the tenants during the period that it holds the properties, and therefore they receive in most cases sufficient income to take care of the expense incurred. We should also not forget the fact that the taxes assessed by the other tax levying bodies of the counties is at least eighty per cent, and we are going to give the county credit for that. Whether it be five per cent or five hundred per cent, Mr. Speaker, the principle involved here is wrong. The county has no right to receive this increase when we here enact legislation providing that all tax levying bodies must agree to it and all of the tax levying bodies should receive their pro-rata share of the proceeds. Again I ask the Members of the House to vote this bill down.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. O'Connor.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. O'CONNOR. I shall, Mr. Speaker.

Mr. TURNER. I would like to ask the gentleman from Cambria whether I understand him rightly, that his contention is that under this bill, because of the failure of the other municipalities or municipality to file tax liens, that if this bill goes into effect the municipalities will not receive any share of the amount due under their tax liens.

Mr. O'CONNOR. Mr. Speaker, in reply to the gentleman from Delaware, if I did not know him so well I would think he was questioning my statement. What I said was this, that at the time the solicitor advised the municipality to buy the properties and not to file tax liens because under the law today the county would eventually receive their proceeds anyhow, I did not wish to infer that by the failure to file tax liens they would lose their pro rata share.

Mr. TURNER. Mr. Speaker, I did not clearly understand the gentleman, and therefore I thought it would be better to ask him. As I now understand it, that to which he objects now is that the county would receive the surplus over and above the amount due the other taxing authorities?

Mr. O'CONNOR. Yes, Mr. Speaker.

Mr. TURNER. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—73

Aaronson,
Beech,
Bender,
Boorse,
Bower,
Brunner,
Cooper,
Costa,
Crowley,
Dague,
Davison,
Dennison,
Dye,
Efenberg,
Feola,
Fish,
Fiss,
Flack,
Fleming,

Frost,
Gallagher,
Goodling,
Gorman,
Griffiths,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hoopes,
Horan,
Johnston,
Kean,
Kelley,
Kemp,
Kline,
Kratz,
Krise,

Kurtz,
Laughner,
Lee,
Lelsey,
Livingston,
Loftus,
Madigan,
McCormack,
McCosker,
Mintess,
Mohr,
Murray,
Myers,
Naumann,
Nelson,
Patten,
Pichney,
Probert,

Reagan,
Richter,
Riley,
Root,
Royer,
Sax,
Scott,
Serrill,
Smith, C. O.,
Smith, C. M.,
Stuart,
Upshur,
Vaughan,
Waldron,
Watson,
Wood,
Lichtenwalter,
Speaker.

NAYS—99

Andrews,	Goff,	Mooney,	Stockham.
Bane,	Graybill,	Moore, C. E.,	Stonier,
Barrett,	Greenwood,	Moore, H. A.,	Swope,
Baumunk,	Greer,	Morrison,	Tahl,
Bentzel,	Guthrie,	Najaka,	Thomassy.
Bloom,	Gyger,	Needham,	Tittle,
Boies,	Hocker,	O'Connor,	Tompkins,
Bonawitz,	Imbt,	Orban,	Toomey,
Breisch,	Johnson,	Petrosky,	Wachhaus.
Brice,	Jones,	Pickens,	Wagner,
Brown,	Jump,	Polaski,	Walton,
Bucchin,	Kent,	Powers,	Waterhouse,
Capano,	Kirley,	Price,	Watkins,
Chervenak,	Kohl,	Ragot,	Weidner,
Chudoff,	Livingstone,	Reilly, W. J.,	Weiss,
Cochran,	Lovett,	Robbins,	Wescott,
Cole,	Lyons,	Robertson,	West,
Cordier,	Madden,	Rowen,	Wheeler,
Dalrymple,	Mazza,	Sarraf,	Wolf,
Demech,	McCullough,	Schuster,	Worley,
Dix,	McDonald,	Shoemaker,	Yeakel,
Elder,	McKinney,	Snider,	Yester,
Foor,	McMillen,	Sorg,	Yetzer,
Getchey,	Mikula,	Sproul,	Young,
Gibson,	Miller,	Stimmel,	

NOT VOTING—33

Cadwalader,	Hewitt,	O'Donnell,	Simons,
Cassidy,	Hoffman,	O'Neill,	Sollenberger.
Clevenger,	Jennings,	Readinger,	Stank,
Cook,	Layer,	Reese, D. P.,	Thompson,
De Long,	Mihm,	Reese, R. E.,	Trout,
Depuy,	Mills,	Reilly, J. M.,	Turner,
Erb,	Neff,	Rose,	Verona,
Evans,	O'Dare,	Scanlon,	Wallin,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection,
House Bill No. 800, Printer's No. 761,
was passed over at the request of the SPEAKER.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Without objection the gentleman from Cambria desires to interrogate the gentleman from Montgomery, Mr. Brunner. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, when will the gentleman from Montgomery graciously consent to have his bill (House Bill 800) placed in a position for possible amendment?

Mr. BRUNNER. I would say, Mr. Speaker, in the immediate future.

The SPEAKER. The Chair would say that that is a confusing answer.

Mr. ANDREWS. Mr. Speaker, would the gentleman define "immediate" within certain limitations,—within the next day or what?

Mr. BRUNNER. Mr. Speaker, immediate perhaps could be defined as not necessarily tomorrow, but certainly not today.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, I do not want to embarrass him by

calling up his bill for the purpose of offering my amendments, but I hope he does not delay too long.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 857, as follows:

An Act establishing a State Institution Retirement System providing for payments upon retirement death disability involuntary retirement from the State Employees' Retirement Fund under the administration of the State Employees' Retirement Board providing for contributions by employees covered by the provisions of this act and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employees' Retirement Board of the Department of State

"Contributor" any person who has accumulated deductions in the fund standing to his credit

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made for the five years of service during which he received his highest salary or in the event a member has not served five years the total retirement compensation earnable divided by the number of years served

"Fund" the State Employees' Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor

"Original Member" a person employed by the Commonwealth prior to January first one thousand nine hundred and twenty-five and who is an employee covered by this act

"New Member" a person who became an employee of the Commonwealth subsequent to December thirty-first one thousand nine hundred and twenty-four

"Prior Service" shall mean service prior to January first one thousand nine hundred and twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean age fifty where an employee has twenty or more years of service or any age where an employee has twenty-five or more years of service at least one half of which service shall have been rendered in an institution covered by this act In any other case superannuation retirement age shall mean age sixty

Section 2 State Institution Retirement System A retirement system is hereby established for the employees of the State penal and correctional institutions and State mental health hospitals and employees of the prison industries working in State penal institutions to be known as the State Institution Retirement System which system shall be administered by the State Employees' Retirement Board of the Department of State

Section 3 Administrative Expenses The expense of the administration of this act exclusive of the payment of retirement allowances and other benefits shall be paid by the Commonwealth by biennial appropriations out of the General Fund made on the basis of estimates submitted by the board

Section 4 Payments Into State Employees' Retirement Fund All appropriations made by the Commonwealth out of the General Fund all contributions by members of the State Institution Retirement System in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employees' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund. The Commonwealth shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act.

Section 5 Rules and Regulations Actuarial Data Appropriations to Fund The board shall from time to time establish such rules and regulations for the administration of this act as may be deemed necessary. It shall keep such data as shall be necessary for actuarial valuation purposes. The actuary of the board shall periodically make and actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of contributions required to be made by the Commonwealth to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowances and other disbursements provided by this act.

Section 6 Membership Credit for Service Contribution Every employe of the State penal correctional institutions and State mental health hospitals and every employe of the prison industries working in State institutions except those who express a desire to remain as members of the State Employees Retirement System shall be required to become a member of the retirement system established by this act. Any employe who becomes a member of the system established by this act shall be entitled to receive the service and prior service credits which he has in the State Employees Retirement System. Any employe who hereafter becomes an employe of any said institutions shall receive credit for any service which he had in the employ of the Commonwealth prior to January first one thousand nine hundred and forty-eight upon complying with the provisions of this act.

Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred forty-eight.

Section 7 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania. The board shall prepare and submit to the budget secretary on or before the first day of November of each even-numbered year an itemized estimate of the amounts necessary to be appropriated from the General Fund to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year.

Section 8 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth including service rendered prior to January first one thousand nine hundred forty-eight upon complying with the provisions of this act. As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred and twenty-four. Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor. The time during which a contributor is absent from service without pay shall not be counted in computing the service of a contributor unless approved by the board.

Section 9 Payments by Contributors All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employes contributing at the one one-hundredth rate under the State Employees' Retirement Act. All original employes who were not members of the State Employees Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employees' Retirement System when the same was established. In like manner any new member may elect to make back payments to the date when he first entered the service of the Commonwealth. All original and new members who were members of the State Employees' Retirement System and who during any period of membership contributed at the one one hundred sixtieth rate shall be entitled to pay into the fund sufficient moneys so that their contributions will have been at the one one-hundredth rate for their entire period of service. Such back payments of original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed. Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated.

Every contributor who was a member of the State Employees' Retirement System shall receive full credit under this act for all contributions made into the fund under the State Employees' Retirement System.

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the General Fund from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) one one-hundredth of his final salary for each year of total service and in addition thereto if an original member of one one-hundredth of his final salary for each year of prior service and (b) an additional State annuity which shall be sufficient in any case of superannuation retirement to make the total retirement allowance of the annuitant equal to fifty percentum of his final salary.

The amounts to be paid by the Commonwealth from the General Fund into the State Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the employes covered by this act.

Section 11 Payments Upon Death If the board shall find that a contributor died as a direct and proximate result of injuries received in the course of his employment a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent.

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to 50% of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable.

The provisions of this section shall apply only to those contributors at least one-half of whose total service in the employ of the Commonwealth was in the institutions the employees of which are covered by this act

Section 12 Superannuation Retirement Allowance Any contributor may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor Provided however that the date so specified in the application shall not be more than thirty days from the date of filing or depositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section 15 Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a State annuity equal one one-hundredth of his final salary for each year of total service and if an original member in addition thereto of one one-hundredth of his final salary for each year of prior service and an additional State annuity which shall be sufficient in any case to make the retirement allowance of the annuitant equal to fifty per centum of his final salary But in no case shall the State annuity exceed fifty per centum of the contributor's final salary

Section 13 Disability Retirement Allowance In cases of permanent disability incurred in service the contributor shall receive a member's annuity of the actuarial equivalent of his accumulated deduction and a State annuity which when added to the member's annuity will provide a retirement allowance equal to one-half of the contributor's final salary In other cases of disability of a contributor who has had at least five years of service a retirement allowance shall be granted the contributor in an amount calculated in accordance with the provisions of the State Employees' Retirement Act relating to disability retirement allowances and subject to the same terms conditions and rights as provided by said act

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided for superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Options on Superannuation Retirement At the time of superannuation retirement any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans

(1) There shall be paid to the beneficiary the actuarial equivalent of the member's and State annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

(2) If the retirement allowance would be less than ten (\$10) dollars per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Member's Annuity Reserve Account

There shall be paid to a beneficiary the actuarial equivalent of the member's and State annuity in a lesser retirement allowance payable throughout life with any one of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and State annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 16 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

Section 17 Refunds in Case of Withdrawal or Death Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Member's Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate

Section 18 Exemption from Taxation and Execution Etc Any money received or to be paid as a member's annuity State annuity or return of deductions or the right to any of these shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred (\$300) dollars the interest on which shall not exceed six (6%) per centum per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employees of the Commonwealth

Section 19 Nomination of Beneficiary Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

Section 20 Fraud Correction of Errors (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Any person violating any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand (\$1000) dollar or suffer imprisonment not exceeding one year or both in the discretion of the court

Section 21 Amendments to Law The Legislature shall have the right and the authority to alter strikeout add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Members' Annuity Reserve Account

Section 22 State Employees' Retirement Law to Apply Generally Except as otherwise provided in this act the retirement system established by this act shall be administered in accordance with the laws rules and regulations applying to the State Employees' Retirement System

Section 23 Effective Date This act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laugher,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	W. od,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—2.

Layor, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 925, as follows:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the fiscal biennium beginning June first one thousand nine hundred forty-seven for the payment of salaries of employes the purchase of supplies and equipment and the payment of all other expenses involved in establishing and conducting a service unit to be available to all departments boards and commissions for photographing correspondence records reports and papers of every description which are to be preserved for studying filing systems and preparing manuals and filing procedures and for recommending to the Governor the proper use of space by the departments boards and commissions

Section 2 Every department board and commission for which photographic work is being done shall assign an employe to be present while such photographing is being done to verify that all papers have been recorded on the film Upon receipt of the developed film and determination of its clarity the original papers shall be destroyed with the approval of the Executive Board as provided by the Administrative Code of 1929 as amended

Section 3 The Department of Property and Supplies shall store film at the request of any department board or commission with the Governor's approval or it may deliver the film to the department board or commission if it is satisfied that the department board or commission has proper facilities for such storage

Section 4 The Department of Property and Supplies upon request of any department board or commission or when so directed by the Governor shall study the filing system or the use of space by such department board or commission and make recommendations which shall be followed as the Governor may direct

Section 5 The cost of services performed by the Department of Property and Supplies under this act in such amount as may be approved by the Executive Board shall be billed to and paid by the department board or commission for which the service was rendered Receipts by the Department of Property and Supplies under this section shall be paid into the General Fund and credited to the appropriation made by section one of this act Such receipts are hereby appropriated for the purposes specified in section one

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buechlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Pichney,	Verona,
Costa,	Kean,	Pickens,	Wachhaus,
Crowley,	Kelley,	Petrosky,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarrafa,	Speaker.

NAYS—0

NOT VOTING—2

Layer,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 943, as follows:

An Act to amend section thirty-three and to add section thirty-five point one to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the taxing districts shall pay the premium on bonds insuring tax collectors against losses of money through no fault of their own

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service.

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth and the premiums on some form of casualty insurance which will safeguard and insure the tax collector against personal loss occasioned by the loss or destruction of tax money after the same has been collected by causes over which he had no control and for which no fault or blame was attached to him

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

Section 2 The said act is further amended by adding section thirty-five point one immediately after section thirty-five to read as follows

Section 35.1 Each taxing district shall pay its pro rata share of the premiums on some form of casualty insurance which will safeguard and insure the tax collector against personal loss occasioned by the loss or destruction of tax money after the same has been collected by causes over which he had no control and for which no fault or blame was attached to him

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sproul,
Andrews,	Gallagher,	McCullough,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McKinney,	Schuster,
Baumunk,	Goff,	McMillen,	Scott,
Beech,	Goodling,	Mihm,	Serrill,
Bender,	Gorman,	Mikula,	Shoemaker,
Bentzel,	Graybill,	Miller,	Simons,
Bloom,	Greenwood,	Mills,	Smith, C. C.,
Boles,	Greer,	Mintess,	Smith, C. M.,
Bonawitz,	Griffiths,	Mohr,	Snider,
Boorse,	Guthrie,	Mooney,	Sollenberger,
Bower,	Gyger,	Moore, C. E.,	Sorg,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Deputy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Wells,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Lager,
Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 417 TAKEN FROM TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 417, Printer's No. 593, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents and district superintendents; and providing for reimbursement by the Commonwealth; and repealing certain provisions of said act.

be taken from the table.

On the question,
Will the House agree to the motion?
It was agreed to.
On the question recurring,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, with the consent of the sponsors, I move that this bill be recommitted to the Committee of Education for amendment.

On the question,
Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I move as an amendment that this House do now resolve itself into a Committee of the Whole for the consideration of amendments to House Bill 417.

The SPEAKER. The Chair would state that there is already before the House a motion to recommit. We would have to dispose of the motion made by the gentleman from Elk, Mr. Sorg, before the motion from the gentleman from Cambria could be entertained by the Chair. There cannot be two motions submitted before the House at the same time.

Mr. ANDREWS. Mr. Speaker, I would like to call the attention of the Chair to the fact that the point to rule on is whether a motion to recommit is subject to amendment. There are not two motions before the House. There is a motion to recommit and a motion to amend the motion to recommit.

The SPEAKER. The Chair would rule that the motion to amend is not in order, because the motion for recommitment supersedes the motion to amend.

Mr. ANDREWS. Mr. Speaker, will the Chair quote that rule?

The SPEAKER. Rule 15 and Rule 54 of the House.

Mr. ANDREWS. Mr. Speaker, from our side of the House it is an error in tactics to permit this bill to pass from the possession of the House. When it goes into

Committee it is not certain that the will of the House will be expressed. As long as we have possession of this bill we are in a position to negotiate with all the powers that be. When we release control of this bill the friends of the measure probably would not possess the power to discharge the Committee, and we would have no alternative then except to vote on the bill as it emerges from the Committee. So I ask this House to retain possession of this bill and not to recommit. I ask for a roll call on the motion to recommit.

Mr. SORG. Mr. Speaker, I just want to say briefly that in my opinion the House is not losing control of this bill by recommitting it to the Committee on Education from which it came, for the purpose of amendment. The bill can move no further than it is at the present time until it comes back again from this Committee.

I want to give my personal assurance and the assurance also of the sponsors of the measure and the Chairman of the Committee on Education, as it was expressed to me, that this bill will come back into the possession of the House for whatever further amendments may be desired, or for whatever action may be taken upon it in its present form or in whatever form the House will put the bill in.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, can the Majority Leader assure this House that it will have the opportunity to work its will upon House Bill 417 before it is called upon to vote for such a measure as might emerge from the upper chamber?

Mr. SORG. Mr. Speaker, I know of no occasion in the past that this House has not been given the opportunity to exert its will, and I can assure you it will not be prevented in this measure in the future.

Mr. ANDREWS. Mr. Speaker, I submit that the gentleman has not answered the question. Specifically I am asking the Majority Leader to assure this House that the bill will not be retained in Committee until such time as a bill from the other chamber has made its appearance in this House.

Mr. SORG. I will make that assurance, Mr. Speaker.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker.

The SPEAKER. The correct answer was given by the Chair's counsel.

Mr. ANDREWS. Mr. Speaker, I appreciate the sincerity of the answer and I believe that the Majority Leader is in a position to make good on his promise. Nevertheless, I hope that the minority will vote "no" on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Bane and were as follows:

YEAS—142

Aaronson,	Goodling,	Mazza,	Shoemaker.
Baumunk,	Gorman,	McCullough,	Smith, C. C.
Beech,	Graybill,	McDonald,	Smith, C. M.
Bender,	Greenwood,	McKinney,	Sollenberger,
Bloom,	Greer,	McMillen,	Sorg,
Bonawitz,	Griffiths,	Miller,	Sproul,

Boorse,	Guthrie,	Mintess,	Stimmel,
Bower,	Gyger,	Mohr,	Stockham,
Breisch,	Hall,	Moore, C. E.,	Stonier,
Brice,	Haller,	Moore, H. A.,	Stuart,
Brunner,	Haudenschild,	Morrison,	Tahl,
Clevenger,	Helm,	Murray,	Thomassy,
Cooper,	Henry,	Myers,	Thompson,
Cordier,	Hocker,	Naumann,	Tittle,
Costa,	Hoffman,	Neff,	Tompkins,
Crowley,	Hoopes,	Nelson,	Toomey,
Dague,	Imbt,	O'Donnell,	Turner,
Dalrymple,	Jennings,	Orban,	Upshur,
Davison,	Johnson,	Patten,	Vaughan,
De Long,	Johnston,	Pichney,	Wagner,
Dennison,	Jones,	Pickens,	Waldron,
Dix,	Kean,	Price,	Walton,
Dye,	Kelley,	Propert,	Waterhouse,
Efenberg,	Kemp,	Ragot,	Watkins,
Elder,	Kent,	Reagan,	Watson,
Erb,	Kilne,	Reese, D. P.,	Weldner,
Ewing,	Kratz,	Reilly, W. J.,	Wescott,
Feola,	Krlse,	Richter,	West,
Flsh,	Kurtz,	Riley,	Wolf,
Flss,	Laughner,	Robertson,	Wood,
Fleming,	Lee,	Root,	Worley,
Foor,	Leisey,	Rowen,	Yeakel,
Frost,	Livingston,	Royer,	Young,
Getchey,	Lyons,	Sax,	Lichtenwalter
Gibson,	Madden,	Scott,	Speaker.
Goff,	Madigan,	Serrill,	

NAYS—42

Andrews,	Cole,	Mooney,	Sarrafi,
Bane,	Demech,	Najaka,	Schuster,
Barrett,	Evans,	Needham,	Snider,
Bentzel,	Flack,	O'Connor,	Stank,
Boies,	Jump,	O'Neill,	Swope,
Brown,	Kirley,	Petrosky,	Wachhaus,
Bucchin,	Kohl,	Polaski,	Weiss,
Capano,	Livingstone,	Powers,	Wheeler,
Chervenak,	Lovett,	Readinger,	Yester,
Chudoff,	Mikula,	Robbins,	Yetzer,
Cochran,	Mills,		

NOT VOTING—21

Cadwalader,	Horan,	Mihm,	Scanlon,
Cassidy,	Layer,	O'Dare,	Simons,
Cook,	Loftus,	Reese, R. E.,	Trout,
Depuy,	McCormack,	Reilly, J. M.,	Verona,
Gallagher,	McCosker,	Rose,	Wallin,
Hewitt,			

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 975, as follows:

An Act to amend clauses (c) and (g) of section three hundred one of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 50) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" further regulating compensation for occupational disease and liability therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (c) and (g) of section three hundred

one of the act approved the twenty first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of any employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing and Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 301

(c) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employee was engaged and not common to the general population and [occurring] where the disability actually occurred within one year after the date of his employment in such occupation or industry. Whenever death is mentioned as a cause for compensation under this act it shall mean only death resulting from occupational disease and occurring within three years after the date of his last employment in such occupation or industry

(g) The employer liable for the compensation provided by this article shall be the employer in whose employment the employee was last exposed to the hazard of the occupational disease claimed regardless of the length of time of such last exposure. Provided That when a claimant alleges that disability or death was due to silicosis anthraco-silicosis asbestosis or any other occupational disease which developed to the point of disablement only after an exposure of five or more years the only employer liable shall be the last employer in whose employment the employee was last exposed to the hazard of such occupational disease during a period of six months or more [after the effective date of this act] and within two years before such disability occurred in fact and in such cases an exposure during a period of less than six months after the effective date of this act shall not be deemed an exposure. The notice of disability of death and claim shall be made to the employer who is liable under this subsection and his insurance carrier if any

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COLE. Mr. Speaker, I desire to interrogate the gentleman from Lycoming, Mr. Elder.

The SPEAKER. Will the gentleman from Lycoming permit himself to be interrogated?

Mr. ELDER. Mr. Speaker, I will yield to the Majority Leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker. I would like to ask the Majority Leader whether he can tell me exactly what his bill means.

Mr. SORG. Mr. Speaker, it is my understanding of his bill that it imposes a limitation in time for the bringing of an action for disability resulting from an

occupational disease. The background of the bill as it was expressed to me in that the last employer where there is hazard to occupational disease as a result of a condition, for example, of silicosis in the mines, he is the one liable for a disability resulting from such occupational disease. As in all other cases of workmen's compensation, the disability must arise within a specified time in order to be compensable.

Under the present law there is no limitation of time whatever, and it is my belief that it is the result of error in the draftsmanship of the original law which this bill attempts to eliminate.

Mr. COLE. Mr. Speaker, does this bill mean as it reads now then that a man who has contracted silicosis or some other occupational disease, which we know oftentimes takes years to detect—he may have it for many years before it is detected—under this particular law as it reads now, if this bill be passed, would the man who contracts an occupational disease after he left his occupation and went into some other occupation, and two years had passed, would he be denied the right if he contracted silicosis or some other such occupation disease to sue for compensation under this bill?

Mr. SORG. Under the limitation imposed by this bill, Mr. Speaker, it is my impression that he would not have a cause of action.

Mr. COLE. He could not sue either his former employer or his present employer under those facts, is that right, Mr. Speaker?

Mr. SORG. Mr. Speaker, if his present employer works under similar conditions, or if the hazard of occupational disease at the present employer's place of business is the same, then he could bring his action.

Mr. COLE. Mr. Speaker, is it not a fact that this bill is designed exclusively to cover a recent Superior Court decision on occupational disease, to nullify the purpose of that decision?

Mr. SORG. That is not my understanding, Mr. Speaker.

Mr. COLE. I thank the gentleman.

Mr. Speaker, this bill does two things. Under the present Occupational Disease Act compensation for occupational disease shall be paid only when such occupational disease is incurred in the occupation or industry in which the employee was engaged, and not common to the general population, and occurring within one year after the date of his last employment in such occupation or industry. Now, we want to amend this bill to read where the disability actually occurred. Take silicosis for example. A man may be exposed to conditions that bring about silicosis for a good many years, and leave that particular industry not knowing that he has contracted the disease. He goes into another industry and goes to work. Sometime later or in the course of years, this silicosis will show up, and this act purports to say it is a fact that the disease was contracted and incurred, but it wants to make it apply where it actually shows up.

In another section it says "within two years before such disability occurs in fact". It is my contention that this act is drawn up primarily to nullify the provisions of the Superior Court's decision rendered in October of 1946 in the case of Andrew J. Anderson, Deceased v. Schroeder Monumental Works, and in order to get it into the record, I would like to read a few extracts from this statement:

Andrew J. Anderson filed a petition under the Pennsylvania Occupational Disease Act of June 21, 1939, P. L. 566, 77 P. S. 1201, claiming compensation for total disability resulting from silicosis contracted while in defendant's employ. Anderson was employed by Schroeder Monumental Works as a granite cutter from April 23, 1936 to December 24, 1942. His next work was for the Hunter Manufacturing Company boring tetryl powder out of shells, from January 4, 1943 to January 16, 1944, when he became totally and permanently disabled. He died November 7, 1944 pending the action of the Board. The widow thereafter filed a petition claiming compensation for her husband's death due to silicosis. The Board found upon sufficient evidence "that death was caused solely by silicosis, definitely distinguished from a contributory or accelerating cause: Sec. 301, (e). The record does show that the decedent inhaled tetryl powder while in the employ of the Hunter Manufacturing Co. but the medical testimony conclusively proves that the inhalation of the tetryl powder was not the cause of decedent's silicosis. The tetryl powder was a contributory cause of total disability and it hastened the progress of the decedent's death, but there is no evidence that it was the cause of death."

An award was made under each petition and affirmed by the learned court below. These appeals were taken by the Coal Operators Casualty Company, the carrier for Schroeder Monumental Works, under policies expiring July 13, 1943. The appellant raises four questions, which we will discuss, each of which is resolved against it.

1. It denies liability for the reason that the total disability benefits as distinguished from death benefits, are barred because they did not occur within one year after the date of decedent's last exposure, to wit, December 24, 1942. Section 301 (c) of the 1939 Act *supra*, 77 P. S. 1401, provides:

"(c) Compensation for the occupational diseases enumerated in this act shall be paid only when such occupational disease is peculiar to the occupation or industry in which the employee was engaged * * * and occurring within one year after the date of his last employment in such occupation or industry."

As the learned court below aptly states: "A careful reading of the statute shows that the criterion is the date when the disease occurred and not the date when total disability began. In view of the medical testimony it is clear that decedent had contracted the disease within the one year's period of limitation as required by the statute."

Decedent was ill and complained of a dry cough in June of 1943. X-rays taken January 12, 1944 disclosed he was suffering from silicosis in the third stage with accompanying tuberculosis. Claimant's medical testimony showed that silicosis is a progressive disease and must necessarily have existed for some time before reaching the third or final stage. The evidence fully supports the findings of the Board that the silicosis was contracted in the employment of Schroeder Monumental Works or within a year thereafter.

2. Appellant's next contention is that silicosis was not the sole cause of death, and that inhalation of tetryl powder during decedent's employment with the Hunter Mfg. Co. played a prominent part in causing the disability and death. Dr. Bond, claimant's medical witness, did testify that inhalation of tetryl powder by the decedent while in the employ of the Hunter Mfg. Co. "irritated" the silicosis, "advanced it" and "flared the condition up", "progressed it more rapidly, more fulminating", but this witness expressed the opinion that the decedent would have died of silicosis in any event, that the inhalation of tetryl powder simply hastened his death. Under Section 301 (e) of the Act of 1939, 77 P. S. 1401, *supra*, if silicosis is merely contributory to death or a concurrent acceler-

ating cause, recovery is barred, *Stauffer v. Hubley Manufacturing Co.*, 151 Pa. Superior Ct. 322, 30 Atl. 2d 370. In *Treaster v. North American Refractories Company et al*, 156 Pa. Superior Ct. 567, 572, 573, 41 Atl. 2d 53 we stated that "where the silicosis is itself the active agency which terminates the life, there is compliance with the statute, notwithstanding the victim displayed disorders unconnected with the occupational disease which might in themselves have produced death had they been allowed to traverse their expected course. In the latter event, the disease or weakness is a passive factor without effect in depriving the silicosis of its character as the sole producing cause of death."

The evidence here shows, as it did in *Roschak et ux v. Vulcan Iron Works*, 157 Pa. Superior Ct. 227, 231, 42 Atl. 2d 280, that decedent's total disability and death were caused primarily and solely by silicosis within the meaning of our statute.

3. The appellant has not persuaded us that the inhalation of tetryl powder by decedent while in the employ of Hunter Mfg. Co. constituted an accident making the disability and death compensable under the Workmen's Compensation Act rather than under the Occupational Disease Act, and there is no finding to that effect. Certainly we cannot declare as a matter of law that such an event was an accident. Appellant is not relieved of liability on this ground.

4. We come now to the appellant's last position. It claims that it is not liable under its policy for either disability or death because disability from silicosis did not occur until January 16, 1944, or six months after its policy with decedent's employer expired, as death did not take place until sixteen months after its policy with Schroeder expired. The theory is agains relied upon that the date of disability rather than of the exposure or occurrence of the disease is the pivotal factor in determining the liability of appellant. The appellant's policies in force from July 13, 1939 to July 13, 1943 contained the following provision under its Standard Pennsylvania Occupational Disease endorsement:

"2. The insuring Company hereby agrees to assume the whole liability of this Insured Employer under the Pennsylvania Occupational Disease Act of 1939 and all laws amendatory thereof which may be or become effective while this policy is in force, without any exception, qualification or limitation."

Section 301 (g) of the 1939 Act *supra*, 77 P. S. 1401, makes the following provisions:

"(g) The employer liable for the compensation provided by this article shall be the employer in whose employment the employe was last exposed to the hazard of the occupational disease claimed, regardless of the length of time of such last exposure: Provided, * * * the only employer liable shall be the last employer in whose employment the employe was last exposed to the hazard of such occupational disease during a period of six months or more after the effective date of this Act * * *"

As above observed, it is the exposure that gives rise to the ultimate liability, but no compensation is payable until the disability becomes total: *Agostin v. Pittsburgh Steel Foundry Corporation*, 157 Pa. Superior Ct. 322, 43 Atl. 2d 604, affirmed 354 Pa. 543, 47 Atl. 2d 680. There is sound reason for the extension of the time that protection is afforded for an occupational disease resulting from exposure to unhealthful conditions over a long period, as disability often does not manifest itself until after the employment has ceased: *McIntyre v. Lavino & Co. et al*, 344 Pa. 163, 167. Mr. Justice Stern speaking for the Court in that case said at page 169: "Surely it was not intended that, if an occupational disease arising in the course of the employment culminated in a disability which

manifested itself after the employment had ceased, the disability could not be the subject of compensation, for otherwise, after an employee had been exposed to the hazard for years and the seeds of occupational disease had been sown in his body, his employer could discharge him and thus avoid compensation liability for a resulting disability which might reveal itself shortly, or even immediately, thereafter." To uphold appellant's contention we would leave the claimant without any remedy in many cases. We are confident that no such result was contemplated by the Act which must be liberally interpreted as remedial legislation.

Now, Mr. Speaker, this particular case happened three years after the employee left his former employment and entered into another business, but the court held that the former company and the insurance company that carried their insurance were liable for compensation under this case. If this act is passed it limits that to two years, and therefore a man who has gone back and contracted an occupational disease two years after leaving his former employment could neither sue his former employer or his present employer, and therefore could not collect any compensation and a great injustice would have been done to him. So I say to you that this bill is very unfair and I ask the Members of the House to defeat it.

Mr. CAPANO. Mr. Speaker, this bill under Section C limits the period of time to file compensation resulting from occupational disease to one year. That particular section applies in all cases of occupational diseases with the exception of silicosis, anthraco-silicosis and asbestosis. That is treated under Section G, and when the act was first written probably no time limitation was placed upon anthraco-silicosis, silicosis and asbestosis, because it was known at that time from advices received by the authors of that act that those particular diseases took a considerable time to develop and that a man may have it and it may gradually develop over a period of years and not make itself felt to the extent of disability until some time after he has left the work.

Now, if we are to pass this amendment it is a definite step backward in the occupational disease act. It will definitely deny compensation in most cases of silicosis, anthraco-silicosis and asbestosis. In other words most of the claims will be defeated by this very amendment, and the intention of the amendment is not really to improve the act but to limit the liability of the employers and definitely take out of the act Section G, which consists of those particular deaths.

Mr. SORG. Mr. Speaker, there is one clause in the present act that we feel leads to the conclusion as to what was meant by the framers of the original law, and that is the clause that imposes a limitation of liability for death. If the one who had that disease, according to the framers of the original law, should die as a result of that disease three years and one day after he left his employment, he would not be entitled to compensation. It does not occur to me that where there is such a limitation that the framers of the act intended to leave it twenty, thirty or any number of years, which is far less consistent.

Mr. ANDREWS. Mr. Speaker, in recent days there has been a disposition upon the part of the House to liberalize the attitude so far as legislation is concerned towards silicosis. Evidently someone somewhere regrets the fact

that there has been a tendency to liberalize the statutes in that relation. So this bill represents a definite retreat from the standards that have slowly evolved during previous sessions—a regrettable retreat.

Mr. CAPANO. Mr. Speaker, in answer to the gentleman from Elk, Mr. Sorg, if you will take notice, that very section, Section G, has in it that a man must be exposed to the disease a period of five years or more. This was written into the act principally because it was known, as I stated before, that these diseases, particularly silicosis, anthraco-silicosis, and asbestosis are the types of diseases that take considerable time to develop, and there was no intent at any time to limit those particular cases, because if they did, then there would be no recovery for those diseases.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—98

Aaronson,	Greer,	Mintess,	Sproul,
Beech,	Gyger,	Mohr,	Stimmel,
Bonawitz,	Hall,	Moore, C. E.,	Stockham,
Boorse,	Haller,	Moore, H. A.,	Stonier,
Brunner,	Haudenschild,	Morrison,	Tahl,
Clevenger,	Helm,	Murray,	Tittle,
Cooper,	Henry,	Myers,	Tompkins,
Costa,	Hocker,	Naumann,	Turner,
Dalrymple,	Hoffman,	Nelson,	Upshur,
Davison,	Hoopes,	Orban,	Vaughan,
De Long,	Jennings,	Patten,	Wagner,
Dennison,	Johnson,	Pickens,	Waldron,
Dix,	Johnston,	Probert,	Walton,
Dye,	Jones,	Reagan,	Waterhouse,
Elder,	Kelley,	Reese, D. P.,	Watson,
Ewing,	Kent,	Reilly, W. J.,	Weldner,
Feola,	Kratz,	Riley,	Wescott,
Fish,	Kurtz,	Robertson,	West,
Fiss,	Laughner,	Royer,	Wolf,
Fleming,	Lee,	Sax,	Wood,
Gallagher,	Lelsey,	Serrill,	Worley,
Gibson,	Loftus,	Smith, C. C.,	Yeakei,
Goodling,	Madigan,	Smith, C. M.,	Young,
Gorman,	McKinney,	Sollenberger,	Lichtenwalter,
Greenwood,		Sorg,	Speaker.

NAYS—73

Andrews,	Evans,	Madden,	Richter,
Bane,	Flack,	Mazza,	Robbins,
Barrett,	Foor,	McCullough,	Root,
Bentzel,	Frost,	McMillen,	Rowen,
Bloom,	Getchey,	Mikula,	Sarraf,
Boles,	Graybill,	Miller,	Schuster,
Brelsch,	Griffiths,	Mills,	Scott,
Brown,	Guthrie,	Mooney,	Shoemaker,
Bucchin,	Imbt,	Najaka,	Snider,
Capano,	Jump,	Needham,	Stank,
Chervenak,	Kean,	O'Connor,	Swope,
Chudoff,	Kemp,	O'Neill,	Thomas,
Cochran,	Kirley,	Petrosky,	Tomlin,
Cole,	Kline,	Pichney,	Wachhauf,
Cordier,	Kohl,	Polaski,	Watkins,
Crowley,	Krise,	Powers,	Weiss,
Dague,	Livingston,	Price,	Wheeler,
Demech,	Livingstone,	Ragot,	Yester,
Efenberg,	Lovett,	Readinger,	Yetzer,
Erb,	Lyons,		

NOT VOTING—29

Baumunk,	Goff,	Mihm,	Scanlon,
Bender,	Hewitt,	Neff,	Simone,
Bower,	Horan,	O'Dare,	Stuart,
Brice,	Layer,	O'Donnell,	Thompson,
Cadwalader,	McCormack,	Reese, R. E.,	Trout,
Cassidy,	McCosker,	Reilly, J. M.,	Verona,
Cook,	McDonald,	Rose,	Wallin,
Depuy,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

the House proceeded to the third reading and consideration of House Bill No. 980, as follows:

An Act to further amend section six hundred three and amend section six hundred twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the licensing of insurance agents and brokers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STIMMEL. Mr. Speaker, there are two sides to every story, it has been said. I believe in the length of time that this bill has been on the calendar the Membership of this House has been approached by persuasive arguments on both sides. Today, however, I would like to discuss a third side, that of the man who is affected most, the public.

House Bill 980 is intended to protect the public from the coercive powers of credit money in the financing of personal property purchased on the deferred payment plan on which insurance protection is required. In addition, this Bill in effect enables the purchaser to obtain protection with an accredited insurance agent of his own choosing.

Experience has shown that the primary concern of the vendor in consummating a sale of personal property has been to provide protection for the finance company without regard to the man paying the bill. In the financing of automobiles and other personal property the term of insurance is usually for the length of the financing agreement, after which the purchaser is frequently left unprotected. This practice has in many instances resulted in loss to the public simply because the selling of insurance was just an adjunct to the primary business of the vendor.

Duplicate coverages, improper advice as to policy conditions, omission of essential coverage, lack of service to the policyholder and incomplete protection are often the result of the unqualified or part-time agent's attempt to provide insurance protection when the selling of insurance is not his chosen career or principal business, and I submit to you that no real public service is afforded, no need is satisfied and no good accomplished that cannot be better done by the qualified full time insurance counselor whose interest must necessarily be in the man who is his client. For these reasons I respectfully ask the members of this house to vote for this Bill.

Mr. WATERHOUSE. Mr. Speaker, I hesitate to rise in

opposition to this bill, due to the fact that I am an automobile dealer, but I have also been a licensed insurance man for twenty years. I believe that this bill will be very harmful to insurance men inasmuch as it is entirely a restrictive measure. The bill tends to eliminate any part time men who happen to be engaged in the automobile business. It does not tend to eliminate that man who is in the real estate business nor any type of that kind. In other words, if you sell a house you can put insurance on it and you can sell the insurance; but if you sell an automobile and a man, for example, buys it for fifteen hundred dollars and owes you a balance of one thousand dollars, you cannot include with that the insurance which would protect the balance that you might be interested in, and consequently have guaranteed if you receive any commission on the sale of this insurance.

Where I believe this might work to the detriment of the public would be in this way: your might sell a car with a balance, and it might be on a Saturday afternoon or Saturday night or any evening, and you would not be able to contact the insurance man, and the purchaser takes the car out and cracks it up so to speak, he would not only be the loser but you would be too. The way it is handled now, the minute he signs the lease he is automatically protected.

I might say in checking my years of experience in the automobile business since 1933, I have had nine such cases, that is cars were wrecked before the lease had even been purchased by the finance company. So there would have been nine people who might possibly have not been protected. So, I believe it is the intent of all insurance men to give the public good service and good protection, and under this bill I do not think they are doing a thing for them, and I think they are only doing something against the public but still not doing anything for themselves. I certainly am opposed to it, and at this time I would like to interrogate the gentleman from Allegheny, Mr. Brown, if I may. In past sessions it has been common knowledge among the Members that Mr. Brown is very well versed on the constitutionality of bills, and I say this with all due respect to the other attorneys in the House, many of whom are also well versed on the subject, but I would like to ask the gentleman from Allegheny, Mr. Brown, if he believes that this bill which says that if a man sells more than 10 per cent of his total insurance volume on business or cars or property, that he has had dealings with, that he can no longer be an insurance agent, but if it is less than 10 per cent he can. Does the gentleman in his opinion believe that this bill would be constitutional?

Mr. BROWN. Mr. Speaker, I am indeed grateful to the gentleman from Erie, Mr. Waterhouse. I am not so sure that I have any peculiar knowledge in the field to which he refers. If I were permitted to give an opinion I would not want that to be taken as an indication of how I would vote on this bill because I have talked over it for weeks with the sponsor of the bill and with those who are vitally interested, and whatever I might say I hope would be taken as a matter of law and not with any basis of trying to influence any of the Members in their vote on this bill.

The problem of law presented by House Bill 980 is a very interesting one. It is an interesting one because it

is a matter with which this legislature has to deal on many occasions.

To answer the question, I think we should first go to the basis of the fundamental law, and that is the XIV Amendment to the Constitution of the United States, section 1, which provides that "no person shall be deprived of life, liberty or property without due process of law." It is one of the crowning achievements of our constitutional provisions that property does not only mean those tangible things which we can see and which we can move about, but property includes intangible things. The Supreme Court of the United States has designated that intangibles would be included under the term of "property" as defined under Section 1 of the XIV Amendment to the Constitution of the United States, and incidentally I would call to the attention of the Members of the House that so far as I have been able to understand and to learn after reading the Constitution of the United States, we find that only in this particular section and in Article 5 of the Constitution which also provides that no person shall be deprived of his life, liberty or property without due process of law and so you have that provision riveted into our fundamental law. Outside of the Article of the United States Constitution and in the XIV Amendment, I know of no other place in the Constitution where the language is repeated, "no person shall be deprived of life, liberty or property without due process of law."

Now, what is property? Does that include only tangibles? It includes intangibles. It would have been futile as far as the Supreme Court had decided if it only included those things that we could see and move about, and so in terms of property it would include the right to work.

I don't know if I can quote the language verbatim or not, but the language is something like this, that the right of a man to engage in the common occupation of the community is a property right, and that property right cannot be taken away from him without due process of law.

The right to write insurance is a property right, and has been held so in many of our Courts. We recognized it here in Pennsylvania as a property right.

House Bill 980 raises a question as to whether or not this Legislature can take away that right or can limit that right without due process of law. Not so long ago I went back to the authorities and went back to that learned opinion by the late Mr. Justice Holmes. I think it is a gem in our Constitutional law and I think it is something that all of us can read if we wish to know something about this question of police power, because here we have a clash between those guarantees of the Fifth Article and the XIV Amendment to the Constitution of the United States and the police powers of the Commonwealth of Pennsylvania.

The police power is that sovereign right which resides within the sovereign state. By the utilization of this power this Legislature can limit, can regulate those things which are guaranteed under this article of the Constitution and the XIV amendment of the Constitution of the United States. However, the courts held that the Legislature cannot abridge that right. They can limit that right provided that limitation is in the interest of the public health, the public morals or public safety or the general welfare.

Therefore, Mr. Speaker, the second question arises, is this limitation one that can be embraced in public health or public morals or public safety or the general welfare? If it is, then this Commonwealth, acting through this Legislature in the utilization of its police power which resides within it, can so regulate and so limit that guarantee of our fundamental law, provided, number three, that the regulation is not arbitrary. If the regulation is arbitrary, if it is capricious, it must fall, though it is done within the exercise of the police power.

I am unable to answer the question as to whether or not the premiums are ten and a quarter the insurance agent is allowed to pursue his ordinary occupation—if it falls to nine and three quarters the license is taken away from him. To me it raises a serious question, and it would be my opinion that the Supreme Court would say that such regulation would be arbitrary and has no basis of reason, that it was just a something that could be picked out of the sun. You could set it at eleven per cent or you could set it at nine per cent. Wherein does reasonableness lie? If that regulation is within the police power, it will stand; if it is not it will fall.

In conclusion, Mr. Speaker, for the purpose of acquainting perhaps some who are not lawyers and refreshing the minds of the members of the bar who are here, I would like to read the record that I consider the gem of all legal opinions, by that late eminent Mr. Justice Holmes. If you will take the language of his opinion, while it has nothing of course to do with the case before the Legislature, the substance is this, and it can be applied in all its contents, and I should like to read that into the record.

Mr. Speaker, I do not have my notes at the microphone. Would you permit me to continue my remarks by reading this gem of all legal opinions, which can be applied not only to this case but can be applied to other matters that will come before this House dealing with the police power.

This is the famous case of *Otis versus Parker*, reported in 187 U. S., page 606, decided in 1903.

Mr. Justice Holmes, speaking for the court in this case, held:

"The issue here was whether a section in the California Constitution providing that contracts for the sale of mining stock on margin or for future delivery should be unenforceable as violating the fourteenth amendment."

You have the same question here, that of police power, the same question with which we are dealing here. So Mr. Justice Holmes laid down these fundamental principles, and I quote from that decision:

"It is true no doubt that neither a State Legislature or a State Constitution can interfere with private business or transactions, and that the mere fact that an enactment purports to be for the further protection of the public safety or morals is not conclusive upon the court."

Later on in the opinion in this same decision, Mr. Justice Holmes says, and I quote again:

"If the state thinks an admitted evil cannot be prevented except by prohibiting a calling or transaction not in itself necessarily objectionable, the courts cannot interfere unless in looking at the substance of the matter they can see that it 'is a clear unmistakable infringement of the rights secured by the fundamental law'."

I think, Mr. Speaker, if we would take this chart laid down by this distinguished jurist, perhaps the greatest jurist of all times, we can see that if we use the police powers of the Commonwealth we should do so advisedly, so that under the exercise of the police powers we do not infringe upon the fundamental law of the land.

Mr. WATERHOUSE. Mr. Speaker, I thank the gentleman from Allegheny, Mr. Brown. I believe that after hearing his reply there should be little doubt in any of the minds of the members, regardless of whether they are insurance men, legal men or automobile men, that certainly this bill is not in the interest of any one of the four points that must deal with the public in order to be constitutional.

I am not an attorney but I have a little of what is commonly called horse sense, and to me it just doesn't make horse sense. I thank the Members for their attention and courtesy.

Mr. WATKINS. Mr. Speaker, one can readily see that House Bill 980 has been introduced for the express purpose of prohibiting automobile dealers, and only automobile dealers, from engaging in the insurance business as agents or brokers. I think I am correct in stating that its effect is aimed primarily at the Motors Insurance Corporation, a subsidiary of the General Motors Company, thereby affecting two thousand or more dealers of General Motors cars and products throughout our Commonwealth, who, over a course of many years have given to the citizens of Pennsylvania, the purchasers of this company's products, an insurance service which was outstanding and of a distinct benefit to all its thousands of policy holders.

House Bill 980 prohibits an insurance agent from soliciting, negotiating or effecting insurance covering personal property sold by himself, his employer, his employe, relative or business associate, except as an incidental and minor part of his business and defines the term "incidental" and "minor part" as meaning ten per cent, as stated on pages 3 and 4 of this bill. It is purely and simply discriminatory and class legislation.

The bill shows that it was written for the express purpose of preventing automobile dealers, irrespective of their ability to qualify, from engaging in the insurance business.

In so doing it would deny them the right to engage in a lawful enterprise, a right granted them under both State and Federal constitutions. Under the guise of regulatory legislation, the existence for which can only rest on public benefit, it seeks to stifle and throttle free competition. Not only is it lacking in public benefits, but by limiting and closing certain avenues through which insurance may be purchased it would actually operate to the public detriment.

Mr. Speaker, one can readily see that the bill was drafted and introduced by the Agents' Association in order to create and perpetuate an artificial economic fence around the insurance business for their special benefit. It is an effort upon the part of an organized minority to use the power of license in attempting to obtain control of a business which its members do not now enjoy. One can readily note that the language in the bill would aid and strengthen the so-called bank agents' plan. I am under the impression that the Insurance Commission and the entire Insurance Department would not approve of the

motives of this particular bill. The bill is certainly unnecessary and will not work out for the public interest, and with all due respect to the sponsor, the gentleman from Lehigh, Mr. Stimmel, I make the following motion.

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for more serious study, and I ask for a division on the motion.

On the question,

Will the House agree to the motion?

Mr. STIMMEL. Mr. Speaker, I violently oppose the motion of the gentleman from Schuylkill, Mr. Watkins. With apologies to the gentleman from Westmoreland County, Mr. Lovett, "let's be fair". This bill has been on the calendar since May 12th. I believe this House has had adequate time to give it its earnest perusal.

I understand that I am not permitted to discuss the merits of the bill on this motion, but I believe that I have expressed the reasons why this House is now entitled to vote on this bill. We have discussed it. It certainly is a controversial bill and I think we should now vote on it. I think we have had adequate time to discuss it and make up our minds.

On the question recurring,

Will the House agree to the motion?

A division having been asked for, 95 Members having voted in the affirmative and 57 in the negative, the question was determined in the affirmative, and the motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. STIMMEL. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Lehigh will state it.

Mr. STIMMEL. Mr. Speaker, I ask if it would be parliamentarily correct to ask for a roll call after the division.

The SPEAKER. Not after the decision has been made.

Mr. STIMMEL. I thank you, Mr. Speaker.

ANNOUNCEMENT

The SPEAKER. The Chair has a very important announcement to make to the Members of the House. The Members are informed to come prepared to stay the entire week of June 9th, commencing next Monday. The Chair will repeat the announcement. Members are to come prepared next week to remain throughout the entire week.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1156, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the purpose of purchasing proper cases for the original William Penn Charter Frames of Government Indian Deed and other historical documents pertaining to the founding of Pennsylvania in order to permanently preserve and to exhibit said priceless historical documents

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buechlin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Lee,	Reese, R. E.,	Wescott,
Elder,	Elsey,	Reilly, J. M.,	West,
Erb,	Livingston,	Reilly, W. J.,	Wheeler,
Evans,	Livingstone,	Richter,	Wolf,
Ewing,	Loftus,	Riley,	Wood,
Feola,	Lovett,	Robbins,	Worley,
Fish,	Lyons,	Robertson,	Yeakel,
Fiss,	Madden,	Root,	Yester,
Flack,	Madigan,	Rose,	Yetzer,
Fleming,	Mazza,	Rowen,	Young,
Foor,	McCormack,	Royer,	Lichtenwalter,
Frost,		Sarra,	Speaker.

NAYS—1.

Bower,

NOT VOTING—2.

Lager,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1241, as follows:

An Act to further amend subsection (a) section nine hundred five of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses

bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating issuance of permits for excessive size and weights

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) section nine hundred five of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may in their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entitle trip but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways

may in his discretion issue a single permit for any fixed number of movements across or along the highway of vehicles or combinations thereof exceeding the maximum size or weight specified in this act as specified locations [Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway] In no case shall such permit be in effect for more than one calendar month The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributed to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employee of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stuart,
Brunner,	Helm,	Myers,	Swope,
Bucchin,	Henry,	Najaka,	Stockham,
Cadwalader,	Hewitt,	Naumann,	Stonier,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laugher,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarrafi,	Speaker.

NAYS—0.

NOT VOTING—2.

Laver, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1309, as follows:

An Act concerning fish frogs terrapin animals of aquatic habits amphibian and other aquatic life in the waters of this Commonwealth establishing ownership jurisdiction and control over the same enacting amending revising consolidating and changing the fish laws fixing penalties providing for enforcing the laws granting powers and authority to the Board of Fish Commissioners enlarging and conferring jurisdiction of magistrates justices of the peace aldermen and courts providing for establishment maintenance of a fish fund and the uses thereof providing for the taking transportation protection production and distribution of fish and aquatic life providing for acquisition and improvements of lands and waters for the production of fish establishing public fishing areas and repealing certain laws

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Fish Law of 1947"

Section 102 Definitions Whenever used in this act unless a contrary intention is evident from the context the word "person" shall include individuals co-partnerships any combination of individuals also any agent or employe or officer thereof association and corporations the singular shall include the plural and the masculine the feminine and neuter

The word "Board" as used in this act shall mean the Board of Fish Commissioners

The word "Commissioner" as used in this act shall mean the Commissioner of Fisheries

"Closed season" That period of time during which the taking of fish or aquatic life is prohibited

"Open Season" That period of time during which the taking of fish or aquatic life is permitted

"Creel Limit" Means the number which may be lawfully taken

"Possession" Both actual or constructive possession or control of things referred to

"Fish" when not specifically limited means and includes all species of aquatic life except birds and animals of aquatic habit

"Fishing License" means a license to fish issued in pursuance of the provisions of this act

"Fishing" and "Angling" means respectively taking or capturing or attempting to take or capture fish and other aquatic life in any manner or by any means or device

"Take taking taken" includes any method of capturing or attempt to capture any fish or setting drawing or using any net or other device for the purpose of capturing any fish or assisting in capturing fish and one who aids and assists in the violation of any of the provisions of this act or by receiving or possessing fish so captured shall be deemed to have incurred the penalties provided in this act for violation thereof

The words "he" "his" "him" and "person" shall in all cases be taken to mean and include any person male or female and the individual members officers agents and employes of any partnership firm corporation joint stock company or association words when used in the singular number shall apply to and include the plural number and when used in the plural shall apply to and include the singular number

"Salable Fish" shall include (a) any fish produced artificially or naturally by any person possessed of a propagation license and including bait fish and fish baid so produced (b) fish the sale of which is not particularly mentioned in this act as unsalable

"Unsalable" or "Non-salable Fish" Means fish which by the provisions of this act may not be lawfully sold or purchased and includes any species of trout caught in waters wholly within or in the waters without this Commonwealth except lake trout caught in waters outside of this Commonwealth or in Lake Erie any large mouth or small mouth bass whether caught within or without this Commonwealth any species of game fish so classified and caught in waters wholly within this Commonwealth any species of game fish so designated and caught in any of the boundary waters of this Commonwealth any striped bass or rock fish less than eighteen inches in length whether caught within or without any of the waters of this Commonwealth and any fish illegally caught anywhere and knowingly so received and had in possession gait-fish and fish-bait taken from the inland or boundary

waters of this Commonwealth and those not lawfully taken or purchased from without this Commonwealth

Provided That unsalable fish shall not be construed as including any fish produced propagated or sold or offered for sale under the terms of a propagation license nor bait-fish or fish-bait lawfully caught or purchased without this State other than boundary waters except Lake Erie and had in possession for sale pursuant to the provisions of this act

"Waters" means any lake pond dam natural or artificial river stream rivulet spring mill race or canal

"Violations" "Principals" All persons aiding assisting or cooperating in catching or attempting to catch fish in any manner shall in case of any violation of any of the provisions of this act be liable to prosecution as a principal

"Devices" No manner method or device for taking fish shall be legal except such as are specifically allowed by the provisions of this act

The word "hook" means a fish hook having one point or two points or three points welded or bound together on one shank and shall be known as "single" "double" or "treble" hooks

In fishing with a lint with bait not more than three single hooks may be attached to one line when using artificial baits or plugs not more than three single double or treble hooks may be attached of same kind or in combination

"Aquatic Life" means any living thing inhabiting the waters

"Hours" The provisions of this act referring to hours or the period of the day during which fish may or may not be taken refer to eastern standard time notwithstanding that the United States or the Legislature may have or may hereafter establish daylight saving time or war time

Section 103 Effect of Act on Existing Laws The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provisions of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 104 Construction It is the intent of this act to prescribe an exclusive system for the angling catching and taking of fish and for their propagation and protection in waters within bounding on or adjacent to this Commonwealth.

Article II

Fishing Regulations Applying To Inland Waters

(A) Definitions Scope of Article

Section 201 Game-fish Defined The term "game-fish" as used in this article means the following fish charr commonly called brook trout all species of trout and the salmon family blue pike pike-perch otherwise known as Susquehanna salmon or wall-eyed pike pickerel western and northern pike muscallonge fallfish small mouth bass otherwise called blackbass large mouth bass otherwise called Oswego green or yellow bass crappie grass strawberry or calico bass white bass rockbass otherwise known as red-eye or goggle-eye yellow perch striped-bass or rock-fish all suckers eels sunfish or bullheads mullets chubb and carp

Section 202 Bait-fish Defined The term "bait-fish" as used in this article means the following fish minnows of all species of fishes not otherwise classified as game-fish inhabiting the inland waters of this Commonwealth and stone catfish

Section 203 Fish-bait Defined The term "fish-bait" means crawfish known as crayfish or crabs crane flies or water-worm mussels hellgrammites and bass bugs being

respectively the larval stage of the Dodson fly and of the Dragon fly

It shall be unlawful to use any species of gold fish for bait under penalty of ten dollars (\$10) for each offense

Section 204 Scope of Article Provisions The provisions of this article shall be construed as applying only to waters within the boundaries of the Commonwealth excepting the boundary waters thereof

(B) Closed Seasons (Inland Waters)

Section 211 Closed Seasons Unless otherwise fixed by resolution of the Board the following closed season are hereby established for

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout beginning at one minute after twelve o'clock antemeridian on the first day of August to five o'clock antemeridian on the fifteenth day of April next following

(b) There shall be no fishing of any sort whatsoever between the hour of five o'clock postmeridian on the fourteenth day of April and the hour of five o'clock antemeridian on the fifteenth day of April in any stream or water within this Commonwealth And provided further That there shall be no fishing for any species of fish whatsoever between March thirty-first and the hour of five o'clock antemeridian on the fifteenth day of April in any year in any section of any stream which has been stocked with trout by the board within the preceding five years and is approved by the board to be stocked with trout

Any person violating the provisions of paragraph (b) of this section shall on conviction be sentenced to pay a fine of ten dollars (\$10) and costs for each offense and in addition thereto a fine of five dollars (\$5) for each fish unlawfully caught or had in possession

(c) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(d) Small-mouth and large-mouth bass pike-perch otherwise called wall-eyed pike or Susquehanna salmon pickerel muscallonge western pike and northern pike from the first day of December to the thirtieth day of June next following both dates inclusive Provided however That Pickerel and yellow perch may be caught and taken not exceeding the daily creel limits fixed by this act during the months of December and January but only when tip-ups are employed while fishing through holes in the ice but yellow perch may also be caught through holes in the ice at any time while using the devices made lawful by section two hundred forty-one of this act

Section 212 Penalty for Having Fish during Closed Season No person shall have in his possession except as in this article otherwise provided or provided in the rules or regulations of the board duly adopted any of the fish enumerated in section two hundred eleven of this act during the closed season respectively provided for Any person violating the provisions of this section shall on conviction as provided in article XV of this act be sentenced to pay a fine of ten dollars (\$10) for each fish so taken caught or had in possession In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 213 Exceptions to Penalty Clause Any fish lawfully caught during the lawful season respectively provided therefor may be kept in possession six days after the expiration of such season

The provisions of section two hundred twelve of this act do not apply to a person who having caught any fish during the closed season respectively provided therefor immediately returns such fish to the water from which it was taken as nearly as possible without injury nor shall such provisions apply to fish artificially propagated under the authority of this act nor to fish lawfully caught and possessed anywhere without this Commonwealth when accompanied by the person who caught the same who is in possession of a fishing license issued to him if one be required in the state or country where caught and such

license is exhibited to the officer enforcing the law in this Commonwealth

(C) Legal Sizes of Fish (Inland Waters)

Section 221 Legal Sizes No person shall have in possession except as in this article otherwise provided or as otherwise provided by resolution of the board duly adopted any

(a) Charr commonly called brook trout or any species of trout except lake trout less than six inches in length

(b) Black bass or small mouth bass or large mouth bass otherwise called Oswego green or yellow bass less than nine inches in length

(c) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon less than twelve inches in length

(d) Pickerel less than twelve inches in length

(e) Muscallonge western and northern pike less than twenty-four inches in length

(f) Rockfish or striped-bass less than twenty inches in length

In determining the length of any of the above specified fish measurement shall be from the top of the nose to the end of the tail

Possession of fish while on or along a stream or other water or transporting fish of any of the above mentioned kinds with heads or tails or parts thereof removed is illegal

Section 222 Penalty Any person violating the provisions of section two hundred twenty-one of this act shall on conviction as provided in article XV of this act be sentenced to pay a fine of ten dollars (\$10) for each fish so taken or had in possession In addition to such penalty the license of such person may be devoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 223 Exceptions to Penalty The Provisions of sections two hundred twenty-one and two hundred twenty-two of this act do not apply to a person who having caught any fish less than the size respectively permitted immediately returns such fish to the water from which it was taken as nearly as possible without injury nor shall such provisions apply to fish artificially propagated under the authority of this act

(D) Number or Creel Limits (Inland Waters)

Section 231 Number of Fish Bait-fish and Fish-bait Which may be Caught Except when changed by resolution of the board in accordance with law the number or creel limits shall be as follows No person except as in this article otherwise provided or as otherwise provided by resolution of the board duly adopted shall in any one day catch kill or have in possession more than the number of fish or bait-fish or fish-bait hereby designated for the respective species that is to say

(a) Charr or trout of the combined species ten

(b) Lake or salmon trout eight

(c) White bass rock-bass crappie strawberry or calico bass fifteen

(d) Small or large mouth bass six

(e) Pike-perch othedwise called wall-eyed pike or Susquehanna salmon six

(f) Pickerel six

(g) Muscallonge western and northern pike two

(h) Yellow perch fifteen

(i) Sunfish fifteen

(j) Catfish fifteen

(k) Suckers fifteen

(l) Fallfish fifteen

(m) Rockfish or striped-bass five

(n) All other species of fish not specifically mentioned in this section except eels thirty-five

(o) Fish-bait thirty-five or bait-fish thirty-five or fifty combined

When a group of two or more persons are fishing from the same boat or otherwise cooperating in fishing no one of such persons may catch and take more than the daily creel limit of any species of fish lawful for one person to catch provided nothing contained in this section shall pre-

vent such person from using a landing net or gaff to land fish caught by another nor from rowing the board for others of the same group

Section 232 Penalty Any person violating the provisions of section two hundred thirty-one of this act shall on conviction as provided in article XV of this act be sentenced to pay a fine of ten dollars (\$10) for each fish bait-fish or fish-bait taken caught or had in possession over the numbering respectively allowed by this act In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 233 Exceptions to Penalty In computing the number of fish taken caught or had in possession the number of fish caught and immediately returned as nearly as possible without injury to the waters from which they were taken shall be omitted and the provisions of this article do not apply to fish bait-fish or fishbait artificially propagated under the authority of this act

(E) Fishing Devices (Inland Waters)

Section 241 Devices to Catch Game-fish Bait-fish and Fish-bait No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game-fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish and fish-bait two rods and lines with not more than three hooks attached to each line a dop-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Pickerel and yellow perch not more than five (5) tip-ups when fishing only through holes in the ice providing that a tag with the name and address of the owner shall be attached to each tip-up

(d) It shall be unlawful to take or attempt to take fish of any kind by the methods known as fingering snatch-fishing foul-hooking or snag-fishing

(e) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet A metal tag issued at the time the special license is secured shall be securely fastened to the eel chute in a conspicuous place No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet All eels chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured During the hours of each day and on Sunday when the operation an duse of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

(f) The Board of Fish Commissioners is hereby authorized to adopt appropriate rules and regulations governing the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor Such rules and regulations shall specify the waters within or adjacent boundary waters in which such trolling may be engaged in and the waters in which such trolling is prohibited It shall be unlawful to en-

gage in such trolling in violation of the rules and regulations of the board

Section 242 Penalty Any person violating the provisions of section two hundred forty-one of this article shall on conviction as provided in Article XV be sentenced to pay a fine of twenty dollars (\$20) and shall forfeit to the board all devices unlawfully used. In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 243 Exceptions to Penalty The provisions of this article do not prohibit the use of a gaff or landing-net to assist in landing fish already caught by a lawful device nor do they apply to fish artificially propagated under the authority of this act or to fish caught by a seine or net for which a license is obtained under the provisions of this act or to fish by a device for which a lawful permit is obtained from the commissioner or board under the provisions of this act

Section 244 Net Permits The board may issue permits to make or possess nets larger than four feet square or four feet in diameter. Such permits when issued shall specify when and where such nets shall be used by the owner or the persons in possession thereof

Section 245 Nets Unlawful Without Permit It shall be unlawful for any person to make sell or have in his possession any net as defined in this act larger than four feet square or four feet in diameter having an aggregate mesh area exceeding sixteen square feet and having a depth of more than thirty inches center measurement without a permit therefor issued by the board. The possession of any such net without a permit therefor shall be prima facie evidence of the violation of this section

The term "net" as used in this article means a metallic or non-metallic fabric wrought or woven into meshes and includes the types known as seine gill pound trap scap fyke dip scoop trammel stake net and landing net

Section 246 Any person violating any of the provisions of section two hundred forty-five shall upon conviction as provided in article XV be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200). In addition he shall forfeit such nets to the board as an illegal device

Article III

Fishing Regulations Applying to Lake Erie

(A) Definitions Scope of Article

Section 301 Definitions The following terms when used in this act are employed except where the context otherwise indicates with the meaning herein respectively assigned thereto

"Boundary Lake" means such part or parts of lake of more than five thousand acres lying between this and any other state or foreign country as this Commonwealth has jurisdiction over

"Bay" means a bay adjacent to or connected with a boundary lake as above defined

"Peninsular Waters" means water on any peninsula which water in adjacent to or connected with a boundary lake as above defined

"Game-fish" means all species or varieties of black or yellow bass rock-bass calico bass or strawberry bass crappie bass muscullonge and grass pike

"Bait-fish" means minnows and killifishes

"Fish-bait" means crawfish known as crayfish or crabs crane flies or waterworms mussels hellgrammites and bass bugs being respectively the larvae of the Dobson fly and of the Dragon fly

"Food-fish" means all fish other than game-fish and bait-fish as above defined

Section 302 Scope of Article The provisions of this article shall be construed to apply only to the boundary lakes of the Commonwealth as herein defined and their bays and peninsular waters

(B) Fishing Devices Creel Limit Closed Season Gen-

eral Regulation Regulatory Provision Applicable to Boundary Lakes Bays and Peninsular Waters

Section 311 Fishing Devices Except as hereinafter otherwise specifically provided or when not otherwise prescribed by resolution of the board according to law no person shall fish for or capture game-fish or food-fish in boundary lakes bays or peninsular waters in any manner with any device means or method other than

(a) Rod and line having not more than three hooks

(b) Hand-line having not more than three hooks

(c) Trolling line with spoon-hooks attached

(d) Spear which may be used for catching carp and suckers only

Any person violating any provision of this act shall on conviction as provided in section one thousand five hundred seventeen of this act be subject to a penalty of twenty-five dollars (\$25). In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 312 Number or Creel Limits The open season size and number of fish and daily creel limits in Lake Erie shall be unless changed by resolution of the board the following

Species	Season	Size	Number (one day)
Bass (Large and small mouth)	June 15 to November 30	9 inches	6 (combined species)
Rock Bass	Any time of year	No size	15
Bass Crappie Strawberry or Calico	Any time of year	No size	15 (combined species)
Grass Pike (Any species)	June 15 to November 30	12 inches	8 (combined species)
Muskellunge	June 15 to November 30	Not less than 24 inches	2
Sunfish Bluegills (Bream)	Any time of year	No size	15 (combined species)

Section 313 Penalty Any person violating the provisions of section three hundred twelve of this act shall on conviction in the manner provided in article XV of this act be subject to a penalty of five dollars (\$5) for each and every fish caught killed or had in possession. In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the board

Section 314 Fish Not to be Used for Fertilizers Except by and with the consent of the commissioner no person shall catch sell or make use of any game-fish or food-fish or minor food-fish for the purpose of making composts or other fertilizing mixture

Any person violating the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of one hundred dollars (\$100) or to undergo an imprisonment in the county jail for three months or both

The board may remove by means of nets by contract or otherwise any fish which it may deem injurious to other fish or aquatic life

Section 315 Regulations Concerning Sturgeon No person shall capture and kill any sturgeon under five feet in length nor have in possession the carcass or flesh of any sturgeon under the length aforesaid

Any sturgeon of less than the said length of five feet which may be captured must be immediately returned to the waters from which taken and in such manner as to cause to the fish so returned the least possible injury

Any person violating any provision of this section shall on conviction as provided in article XV of this act be

subject for each sturgeon illegally captured and killed or had in possession to a penalty of twenty-five dollars (\$25) or to undergo an imprisonment in the county jail for the period of one month

Section 316 Rules and Regulations of Commissioner The commissioner with the approval of the board may make such rules and regulations applicable to any peninsula on which is located any peninsular waters as hereinbefore defined as he may deem necessary for the protection of fish in such peninsular waters or for the protection of any fish hatchery located on such peninsula such rules and regulations shall be posted in not less than five conspicuous places on such peninsula

Any person violating any such rule or regulation shall on conviction as provided in article XV of this act be subject to a penalty of fifty dollars (\$50)

Section 317 General powers of commissioner and board the commissioner with the approval of the board is hereby empowered to authorize the use of minnow nets for angling or scientific purpose in any bay or peninsular water

The commissioner or any representative of the board of fish commissioners for the purpose of stocking the waters or for the purpose of taking spawn may catch fish with nets in such waters at any time of the year

(C) Boat and Net Licenses (Lake Erie)

Section 321 Boat and Net Licenses Fees Revocation The board is hereby authorized to issue a fishing license upon written application therefor signed by the applicant upon payment of the license fee herein prescribed for the respective devices or persons for fishing in the boundary waters of Lake Erie only that is to say for each

(a) Row or sailboat used in fishing with gill-nets resident citizens twenty dollars (\$20) nonresident citizens of the United States forty dollars (\$40)

(b) Boats other than a row or sailboat under ten tons gross burden resident citizens forty dollars (\$40) nonresident citizens of the United States eighty dollars (\$80)

(c) Boat from ten to twenty tons gross burden resident citizens sixty dollars (\$60) nonresident citizens of the United States one hundred twenty dollars (\$120)

(d) Boat of over twenty tons gross burden resident citizens eighty dollars (\$80) nonresident citizens of the United States one hundred

(e) Pound-net resident citizens fifteen dollars (\$15) nonresident citizens of the United States eighty dollars (\$80)

(f) Trap-net or device other than a pound-net resident citizens not less than ten dollars (\$10) nor more than twenty dollars (\$20) nonresident citizens of the United States not less than twenty dollars (\$20) nor more than forty dollars (\$40) to be determined and fixed by the commissioner

(g) Out-line two dollars (\$2) each

The commissioner may revoke any license for violation of any provision of this act or for violation of any conditions on which the license was granted

Any person operating or employing others to operate any boat net or device without being licensed as hereinbefore provided shall on conviction as provided in article XV of this act be subject to a penalty of fifty dollars (\$50) All fish caught with such unlicensed devices shall be forfeited to the board All unlicensed device used in violation of the provisions of this act shall be forfeited to the board

Section 322 Representatives of Board may Accompany Boats to Secure Spawn No license shall be issued except upon the condition that the operator of any boat so licensed shall permit a person designated by the commissioner or the board to accompany such boat at any time when it is engaged in fishing for the purpose of securing for the use of the board from the fish so caught so much of their spawn as the board may desire Any person refusing to permit a person so designated by the commissioner to accompany such boat or to secure such spawn as the board may desire shall upon conviction as

provided in article XV of this act be subject to a penalty of one hundred dollars (\$100) or thirty days' imprisonment in default of the payment of such fine and costs

Section 323 Licenses to Nonresidents No license shall be issued to a resident of any state or country whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania

Section 324 Meshes of Nets Except as in this section hereinafter provided no gill-nets shall be licensed other than gill-nets having a mesh of at least sufficient size to permit a standardized three inch steel rule stamped and authenticated by the board to be passed through without bending the rule

Gill-nets used in fishing for trout may be licensed which have meshes of at least five and one-half inches in size stretched mesh fishing measure

No pound-nets shall be licensed other than pound-nets the cribs of which shall have a mesh of not less than two and one-half inches stretched mesh fishing measure

No trap shall be licensed other than trap-nets which shall have a mesh not less than two and one-half inches stretched mesh fishing measure

Section 325 License Year Exhibition of License Licenses issued under the authority of this article shall be good for the calendar year in which issued Such licenses shall be carried by the operator of any boat net or device for which issued and by each person employed on such boat and shall be shown on demand to any fish warden constable deputy sheriff the commissioner or any authorized representative of the board

Any person refusing to exhibit his license on demand as aforesaid shall on conviction as provided in article XV of this act be subject to a penalty of ten dollars (\$10)

Section 326 Nets Not to be Used in Certain Places No net except a gill or net fastened to and supported by poles driven in the ground and known as a pound-net shall be set fastened drawn or used within sixteen miles from the entrance to any bay nor within one-half mile from any stream measured in direct line

No gill-net or pound-net shall be set fastened drawn or used within two miles of the entrance of any bay

No net of any character shall be set fastened drawn or used within three-fourths of a mile from shore measured in a direct line and no gill-nets shall be set fastened drawn or used within one and one-half miles from shore measured in a direct line

A person violating any provision of this section shall on conviction as provided in article XV of this act be subject to a penalty of one hundred dollars (\$100) or imprisonment in the county jail for a period of three months

Section 327 Nets in Use to Bear Owner's Name and Address No nets except gill-nets and pound-nets shall be set fixed or fastened without having thereto attached a buoy of at least eighteen inches in diameter bearing a metallic tag on which shall be marked the owner's name and address and which buoy must be plainly visible and above water at all times

A person violating any provision of this section shall on conviction as provided in article XV of this act be subject to a penalty of twenty-five dollars and the confiscation of the net Any net required to be buoyed which is found in the water without buoy as above provided and the owner cannot be located shall be confiscated to the board

Section 328 Unlawful Removal of Fish from Nets No person except the owners thereof or their representatives shall remove or take fish from any net or device licensed under and operated according to the provisions of this act

A person violating any provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of ten dollars (\$10) for each fish so unlawfully taken provided the total amount of fines shall not exceed one hundred dollars (\$100) for fish taken at any one time

Any fish recovered shall be returned to the owner or owners of the net or device from which they were taken

and all boats and appliances used in unlawful taking the fish shall be forfeited to the board

Section 329 Legal Size and Weight of Fish and Fillets No person shall catch by means of any net or device for which a license is issued under the provisions of this article any

- (a) Blue pike and sugar pike less than eleven inches in length
- (b) Yellow pike less than thirteen inches in length
- (c) Yellow perch less than nine inches in length
- (d) Ciscos not less thn six ounces in weight in the round or
- (e) Whitefish less than one and three-fourths pounds in weight in the round

No person shall purchase sell or expose for sale any blue pike or sauger pike less than eleven inches in length in the round or blue pike or sauger pike fillets less than seven inches in length dressed and cut out caught in waters under the control of the Commonwealth or in waters without this Commonwealth and received in interstate commerce or otherwise

Any person violating the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of ten dollars (\$10) for each fish or fillet so taken had in possession purchased sold or offered for sale

The foregoing provisions of this section shall not apply to a person who having caught any fish less than the size or weight permitted immediately returns such fish to the waters from which they were taken

Section 330 Minnow Nets The commissioned is hereby empowered to authorize the use of minnow nets for angling or for scientific purposes

Section 331 Rules and Regulations Penalty The commissioner with the approval of the board may make such rules and regulations applicable to any boundary lake as hereinbefore defined as he may deem necessary for the protection of fish in such waters

Any person violating any of the provisions of such rules and regulations shall on conviction in the manner provided by article XV of this act be sentenced to pay a penalty of one hundred dollars (\$100) for each offense

Article IV

Special Provisions Applying to Pymatuning Lake

Section 401 Scope of Provisions of Article The provisions of this article shall be construed as applying only to Pymatuning Lake

Section 402 Special Provisions for Fishing in Pymatuning Lake Except as in this act specifically provided no person shall fish for or capture fish in Pymatuning Lake with any device in any manner or by any means or method other than two rods and lines or two lines allowed in possession Residents of Pennsylvania holding a Pennsylvania license may fish on any part of the lake open to public fishing except from the shore on the Ohio side Nonresidents who are citizens of the United States or of Canada may be licensed to fish in that lake upon payment of a nonresident license fee of two dollars and fifty cents (\$2.50) which would entitle them to fish upon the lake but not from the shores of both Pennsylvania and Ohio except that they may fish on the shore of the state issuing such license The openseason size and number of fish and daily creel limits in Pymatuning Lake shall be unless changed by resolution of the board the following

Open Season Size Number		Minimum Daily Legal Length Creel in Inches Limit	
Species	Season		
Muskellunge	July 1 to Nov 30	30	2
Pickrel (Yellow Pike)	July 1 to Nov 30	13	6
Black Bass	July 1 to Nov 30	10	6
Pike Perch	July 1 to Nov 30	13	6
Sauger	No Season	11	6
Bluegill	No Season	No Size	15

Rock Bass	No Season	No Size	15
Yellow Perch	No Season	No Size	15
White Bass	No Season	No Size	15
Crappie	No Season	No Size	15
Sunfish	No Season	No Size	15
Catfish	No Season	No Size	15
Suckers	No Season	No Size	15
Carp	No Season	No Size	15

(In the seasons as above stated both dates are inclusive)

Minnows No size 35 in one day Rod and line only No season

Frogs 25 in one day 50 in one season Season July 2 to October 31 inclusive Sunday excepted (Unlawful to take frogs by use of a light)

Tadpoles 25 in one day or in possession at any time Fish Bait Unlawful to take crawfish or crabs crane-flies or water-worms mussels hellgrammites aquatic insects or organisms

The penalty for violation of any of the provisions of this section or any of the rules and regulations of the board shall be twenty dollars (\$20) In addition to this a penalty of ten dollars (\$10) for each fish taken under size limit or over creel limit

Article V

Fishing Regulations Applying To Boundary Rivers

(a) Provisions Applying to the Delaware River Above Trenton Falls between Pennsylvania and New Jersey

Section 501 Scope of Sub-Heading The provisions of sub-heading (a) shall affect and apply to the propagation catching taking and protection and destruction of fish in the waters of the Delaware River above Trenton Falls lying between the Commonwealth of Pennsylvania and the State of New Jersey

Section 502 Right to Fish to be Enjoyed The inhabitants of the Commonwealth of Pennsylvania and of the State of New Jersey shall have and enjoy a common right of fishery throughout in and over the waters of said river between low water mark on each side of side river between said states above Trenton Falls except so far as either state may have heretofore granted valid and subsisting private right of fishery subject to the requirements of this act relating to fishing licenses and subject to such provisions of this act as are not specifically modified herein

Section 503 Regulations Except when not otherwise prescribed by resolution of the board duly adopted the fishing regulations open and closed seasons creel limits manner of fishing duties powers and penalties shall be as follows

Game-fish bait-fish and food-fish defined For the purpose of this act the following fish shall be designated as game-fish to wit Black bass or small mouth bass large mouth bass otherwise called Oswego or yellow bass strawberry or calico bass rock-bass otherwise known as red-eye or goggle-eye white bas crappie pike-perch otherwise called wall-eyed pike or Susquehanna salmon pike pickerel charr commonly called brook or speckled trout or any form of trout The following shall be designated as bait-fish to wit All species of minnows killi-fishes and stone catfish All other species or varieties of fish whatsoever shall be designated as food-fish

Section 504 Fishing Devices for Game-fish It shall be unlawful to catch or fish for any game-fish or any sunfish or any white or yellow perch in any part of the Delaware River above Trenton Falls with any device or by any means or method whatsoever excepting with rods and lines or hand-lines commonly called dipsey or throw-lines each having not more than three hooks or with trolling lines with spoon or artificial bait having not more than one burr of three single hooks attached The number of rods and lines or the number of trolling lines not to exceed two of one or the other device named and said lines must be under the direct and immediate supervision of the person fishing therewith

Any person violating any provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20)

Section 505 Fishing Devices for Bait-fish It shall be unlawful to fish for bait-fish in the Delaware River above Trenton Falls except with the following devices to wit Rods and lines and hand-lines with not more than three hooks attached a minnow seine not more than one hundred feet in length a dip net not more than five feet square a minnow trap the opening of which shall not be more than one and one-quarter inches in diameter a scoop-net with single handle and with diameter of net not more than two feet

Any person who uses any other device method or means for catching bait-fish other than those specified in this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20)

Section 506 Fishing Devices for Food-fish It shall be unlawful to fish for food-fish in the Delaware River above Trenton Falls with any device method or means excepting by the following devices and under regulations and restrictions hereinafter described to wit A seine an eelpot or fyke net each without wings and rods and lines or handlines otherwise known as dipsey or throw lines each having not more than three hooks the number of rods and lines or hand-lines not to exceed three of one or the other device named

Any person who shall use or employ any method or device for catching food-fish other than those named in this section or shall use or employ and device named in this section contrary to the regulations or restrictions hereinafter mentioned shall on conviction as provided in article XV of this act be subject to a fine of twenty dollars (\$20)

Section 507 Seines for Sturgeon and Food-fish Closed Season for Food-fish When Taken in Seines It shall be unlawful for any person to catch and take or attempt to catch and take sturgeon from the Delaware River above Trenton Falls with any device excepting a seine the meshes of which shall not be less than thirteen inches stretched measure while being fished or to catch and take or attempt to catch and take any other food-fish from said waters with a seine the meshes of which shall be less than two and one-half inches stretched measure while being fished It shall also be unlawful for any person to catch and take or attempt to catch and take any food-fish except sturgeon by means of a seine between the tenth day of June in each and every year and the first day of March next ensuing Provided That suckers may be taken with a seine only from October fifteenth in each and every year to the fifteenth day of March next ensuing

Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of one hundred dollars (\$100) together with a forfeiture of all nets boats and appliances used

Section 508 Staked and Fastened Nets Prohibited Prohibited Places for Nets It shall be unlawful for any person to catch and take or attempt to catch and take any fish of any kind from the Delaware River above Trenton Falls with a net of any character which is anchored or staked or fastened down in any manner permanently or otherwise or to use any net so anchored or fastened down in any manner Nor shall any net of any kind or character be used for the purpose of catching and taking fish in said waters within one-half mile above or below the mouth of any river creek or stream emptying into said Delaware River above Trenton Falls

Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20) together with the forfeiture of nets boats and other appliances used

Section 509 Use of Nets on Saturday Afternoon and

Sunday Prohibited It shall be unlawful for any person to catch and take fish of any kind or description from the Delaware River above Trenton Falls by the means of a net or to use a net of any character in the waters aforesaid between Saturday at two o'clock postmeridian and twelve o'clock midnight Sunday night in each week

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of one hundred dollars (\$100) together with a forfeiture of all nets boats and appliances used

Section 510 No Closed Season for Taking Food-fish with Lines Closed Season for Game-fish It shall be lawful to catch food-fish with rods and lines and hand lines and trolling lines as described in section five hundred four of this act at any time of the year in the Delaware River above Trenton Falls but it shall be unlawful to fish for and take game-fish excepting from the fifteenth day of June to the first day of December inclusive in each year Provided however That any charr commonly called brook or speckled trout or any form of trout may only be taken between the fifteenth day of April and the thirty-first day of July both dates inclusive in each year

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided for in article XV of this act be subject to a fine of ten dollars (\$10) for each and every fish so taken

Section 511 Seasons for Use of Eelpots and Fyke Net It shall be unlawful for any person to use eelpots and fyke nets each without wings in the Delaware River above Trenton Falls from June first to June thirtieth in each year both dates inclusive but it shall be lawful to use eelpots and fyke nets each without wings from July first to May thirty-first both dates inclusive in each year for the purpose of catching carp catfish eels and suckers only All other species of fish which may be caught in said nets must be returned unharmed immediately to the water from which taken Provided That the entrance of said eelpot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20) together with a forfeiture of all nets boat and other appliances used

Section 512 Legal Size and Creel Limits of Fish Penalties (a) It shall be unlawful for any person to catch and take or attempt to catch and take from the Delaware River above Trenton Falls in any manner whatsoever any striped bass otherwise known as rock-fish weighing more than twenty pounds or measuring less than ten inches in length or any sturgeon less than five feet in length or any black bass or any small mouth bass large mouth bass otherwise known as Oswego or yellow bass less than nine inches in length or any pike or pickerel or any pike-perch otherwise known as walleyed or Susquehanna salmon less than twelve inches in length or any calico or strawberry bass crappie white bass rock-bass otherwise known as red eye or goggle-eye or trout or charr less than six inches in length Any fish of a less length than those described or any striped-bass commonly called rock-fish weighing more than twenty pounds which may be caught must be returned immediately to the water Provided That nothing in this section shall be so construed as to prevent the fishery authorities of the Commonwealth of Pennsylvania or of the State of New Jersey capturing fish of any size from said waters or at any time of the year or in any manner for propagating purposes and for stocking other waters in their respective states through their authorized representatives

Any person who shall violate any of the provisions of this subsection shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of ten dollars (\$10) for each and every fish so caught and had in possession

(b) It shall be unlawful to take catch kill or have in possession in any one day more than ten in all of black and Oswego bass twenty rock-bass twenty in all of calico bass and crappie bass ten pike-perch or wall-eyer pike ten pike ten pickerel or twenty trout

Any person violating the provisions of this subsection shall in conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20) for each fish so taken caught killed or possessed in excess of the number permitted by this subsection

Section 513 Penalty for Damage to Nets and Seines It shall be unlawful for any person by boat anchor dredge or otherwise in the Delaware River above Trenton Falls to wilfully and without reasonable cause to interfere with break damage or destroy any hauling seine or net of any description being lawfully used

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20)

Section 514 Sale of Fish Regulated It shall be unlawful to purchase sell or offer for sale or have in possession any fresh dead game or food-fish except during the lawful period for catching the same and the space of six days after such period has expired

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of ten dollars (\$10) for each fish

Section 515 Concurrent Jurisdiction of States The Commonwealth of Pennsylvania and the State of New Jersey shall have concurrent jurisdiction over all offenses and violations of this act committed or attempted to be committed by any person or persons fishing in the Delaware River above Trenton Falls within the jurisdiction respectively of the said Commonwealth of Pennsylvania and of the State of New Jersey

Any fish warden or any person in either state authorized to make arrests for violation of the fish laws shall have power and authority to make arrests in any part of the river or shores thereof and take such person or persons for trial to the state in which the offense was committed and proceed against the offender according to the legal procedure for violation of the fish laws of said state If the offense be committed within the Commonwealth the procedure shall be as prescribed in article XV of this act

Section 516 Penalty for Threatening and Resisting Officers Any person or persons who shall by threat menace or force or in any manner attempt to deter or prevent and fish warden or other person authorized to make arrests for violation of the fish laws in either state from enforcing or carrying into effect any provisions of this act or who shall resist arrest or the seizure of boats or nets illegally used shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of one hundred dollars (\$100)

(b) Provisions Applying to the Delaware River Below Trenton Falls

Section 521 Scope of Sub-Heading The provisions of sub-heading (b) shall affect and apply only to the propagation catching taking and protection and destruction of fish in the waters of the Delaware River below Trenton Falls lying between the Commonwealth of Pennsylvania and the State of New Jersey

Section 522 Right to Fish to be Enjoyed The inhabitants of the Commonwealth of Pennsylvania and the State of New Jersey shall have and enjoy a common right of fishery throughout in and over the waters of said river between said states below Trenton Falls except so far as either state may have heretofore granted valid and subsisting private right of fishery subject however to the general provisions of this act affecting fishing in all waters of this Commonwealth not specifically excepted herein

Section 523 Game-fish Bait-fish and Food-fish Defined For the purposes of this act the following fish shall be

designated as game-fish to wit Black bass or small mouth bass large mouth bass otherwise called Oswego or calico bass rock bass otherwise known as red-eye or goggle-eye white bass crappie pike-perch otherwise called wall-eyed pike or Susquehanna salmon pike pickerel charr commonly called brook or speckled trout or any form of trout The following shall be called bait-fish to wit All species of minnows killifishes and stone catfish. All other species or varieties of fish whatsoever shall be termed food-fish

Section 524 Fishing Devices for Game-fish It shall be unlawful to catch or fish for any gamefish or any sunfish or any white or yellow perch in any part of the Delaware River below Trenton Falls with any device or by any means or methods whatsoever excepting with rods and lines or hand-lines commonly called dipsey or throw lines each having not more than three hooks or with trolling lines with spoon or artificial bait having not more than one burr of three single hooks attached the number of rods and lines or the number of trolling lines not to exceed two of one or the other device named

Any person violating any provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20)

Section 525 Fishing Devices for Bait-fish It shall be unlawful to fish for bait-fish in the Delaware River below Trenton Falls except with the following devices to wit Rods and lines and hand-lines with not more than three hooks attached a minnow seine not more than one hundred feet in length a dip net not more than five feet square a minnow trap the opening of which shall not be more than one and one-quarter inches in diameter a scoop-net with a single handle and with a diameter of net of not more than two feet

Any person who uses any other device method or means for catching bait-fish or of a greater length or diameter of nets than specified in this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20)

Section 526 Fishing Devices for Food-fish It shall be unlawful to fish for food-fish in the Delaware River below Trenton Falls with any device method or means excepting by the following devices and under regulations and restrictions hereinafter described to wit a seine a gill net an eelpot a fyke net each without wings a parallel net or net set at the edge of low water and rods and lines or hand-lines otherwise known as dipsey or throw lines each having not more than three hooks the number of rods and lines or hand-lines not to exceed three of one or the other device named

Any person who shall use or employ any method or device for catching food-fish other than those named in this section or shall use or employ and device named in this section contrary to the regulations or restrictions hereinafter mentioned shall on convictions as is provided in article XV of this act be subject to a fine of twenty dollars (\$20)

Section 527 Seines and Nets for Taking Sturgeon Herring and Food-fish Seasons It shall be unlawful for any person to catch and take or attempt to catch and take sturgeon from the Delaware River below Trenton Falls with any device excepting a seine or gill-net the meshes of which shall not be less than thirteen inches stretched measure while being fished or to catch and take or attempt to catch and take any other food-fish from said waters with a seine the meshes of which shall be less than two and one-half inches stretched measure while being fished or any gill-net the meshes of which shall be less than five and one-quarter inches stretched measure while being fished Provided That gill-nets with a mesh not smaller than three inches may be used from March first to June tenth in each year for the purpose of taking herring only It shall be unlawful for any person to catch and take or attempt to catch and take any food-fish except sturgeon by means of seine or gill-net between the tenth day of June in each and every year and the first day of March

next ensuing Provided That suckers may be taken with a seine only from October fifteenth in each and every year to the fifteenth day of March next ensuing

Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of one hundred dollars (\$100) together with a forfeiture of all nets boats and appliances used

Section 528 Anchored Staked and Fastened Nets Prohibited It shall be unlawful for any person to catch and take or attempt to catch and take fish of any kind from the Delaware River below Trenton Falls with a net of any character which is anchored or staked or fastened down in any manner permanently or otherwise or to use any net so anchored or fastened down in any manner Nor shall any net of any kind or character be used for the purpose of catching and taking fish in said waters within one-half of a mile above or below the mouth of any river creek or stream emptying into said Delaware River below Trenton Falls

Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided by article XV of this act be subject to a fine of twenty dollars (\$20) with the forfeiture of nets boats and other appliances used

Section 529 Use of Nets on Saturday Afternoon and Sunday Prohibited It shall be unlawful for any person to catch and take or attempt to catch and take fish of any kind or rescription from the Delaware River below Trenton Falls by means of nets or to use a net of any character in the waters aforesaid between Saturday at two o'clock postmeridian and twelve o'clock midnight Sunday night in each week

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of one hundred dollars (\$100) together with a forfeiture to the board of all nets boats and other appliances used

Section 530 No Closed Season for Food-fish Taken with Lines Closed Season for Game Fish It shall be lawful to catch food-fish with rods and lines and handlines and trolling lines as described in article V of this act at any time in the year in the Delaware River below Trenton Falls but it shall be unlawful to fish for and take game-fish excepting from the fifteenth day of June to the first day of December inclusive in each year Provided however That any charr commonly called brook or speckled trout or any form of trout may only be taken between the fifteenth day of April and the thirty-first day of July both dates inclusive in each year

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of ten dollars (\$10) for each and every fish so taken

Section 531 Seasons for Use of Eelpots and Fyke Nets It shall be unlawful to use eelpots and fyke nets each without wings in the Delaware River below Trenton Falls from June first to June thirtieth in each year both dates inclusive but it shall be lawful to use eelpots and fyke nets each without wings from July first to May thirty-first both dates inclusive in each year for the purpose of catching carp catfish eels and suckers only All other species of fish which may be caught in said nets must be returned unharmed immediately to the waters from which taken Provided That the entrances of said eelpot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20) together with a forfeiture of all nets boats and other appliances used

Section 532 Seasons for Nets and Seines Size of Mesh It shall be unlawful to use a parallel net otherwise a net set approximately parallel with the shore in the Delaware River and Bay lying between the States of New Jersey

and Pennsylvania below Trenton Falls and at low-water mark between the first day of June and the thirty-first day of August in each year and it shall be lawful to use such parallel net from the first day of September to the thirty-first day of May inclusive next ensuing in each year for the purpose of taking carp only Provided That the meshes of said net be not less than three and one-half inches stretched measure when being fished Provided That seines not smaller than two and one-half inch mesh may be used from September first to May thirty-first of each year for the purpose of taking carp only And provided further That no such net shall be set in such manner as to impede navigation All other fish than carp must be returned unharmed to the water below the low-water mark

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of one hundred dollars (\$100) together with a forfeiture of all nets and other appliances used

Section 533 Legal Sizes and Creel Limits of Fish Penalties (a) It shall be unlawful for any person to catch and take or attempt to catch and take from the Delaware River below Trenton Falls in any manner whatsoever any striped-bass otherwise known as rockfish weighing more than twenty pounds or measuring less than ten inches in length or any sturgeon less than five feet in length or any black bass or any small-mouth bass large-mouth bass otherwise known as Oswego or yellow bass less than nine inches in length or any pike or pickerel or any pike-perch otherwise known as wall-eyed pike or Susquehanna salmon less than twelve inches in length or any calico or strawberry bass crappie white-bass otherwise known as red-eye or goggle-eye or trout or charr less than six inches in length Any fish of a less length than those described or any striped bass commonly called rock-fish weighing more than twenty pounds which may be caught must be returned immediately to the water Provided That nothing in this section shall be construed as to prevent the fishery authorities of the Commonwealth of Pennsylvania or of the State of New Jersey from capturing fish of any size from said waters or at any time of the year or in any manner for propagation purposes and for stocking other waters in their respective states through their representatives

Any person who shall violate any of the provisions of this subsection shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of ten dollars (\$10) for each and every fish so caught and had in possession

(b) It shall be unlawful to take catch kill or have in possession in any one day more than ten in all of black and Oswego bass twenty rock-bass twenty in all of calico and crappie-bass ten pike-perch or wall-eyed pike ten pike ten pickerel or twenty trout

Any person violating the provisions of this subsection shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20) for each fish so taken caught killed or possessed in excess of the number permitted by this subsection

Section 534 Penalty for Damage to Nets and Seines It shall be unlawful for any person by boat anchor dredge or otherwise in the Delaware River below Trenton Falls to wilfully and without reasonable cause interfere with break damage or destroy any drifting gill-net hauling seine or nets of any description being lawfully used and it shall be unlawful for any person to drift a gill-net over the waters of a shore fishery while the hauling seine is being used

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of twenty dollars (\$20)

Section 535 Sale of Fish Regulated It shall be unlawful to purchase sell or offer for sale or have in possession any fresh dead game-fish or food-fish except during the lawful period for catching the same and the space of six days after such period has expired

Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of ten dollars (\$10) for each fish

Section 536 Concurrent Jurisdiction of States The Commonwealth of Pennsylvania and the State of New Jersey shall have concurrent jurisdiction over all offenses and violations of this act committed or attempted to be committed by any person or persons fishing in the Delaware River below Trenton Falls within the jurisdiction respectively of the said Commonwealth of Pennsylvania and the State of New Jersey Any fish warden or any person by either state authorized to make arrests for violation of the fish laws shall have power and authority to make arrests in any part of the river or shores thereof and take such person or persons for trial to the state in which the offense was committed and proceed against the offender according to the legal procedure for violation of the fish laws of said state If the offense was committed within the Commonwealth the procedure shall be as prescribed in article XV of this act

Section 537 Penalty for Threatening and Resisting Officers Any person or persons who shall by threat menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws in either state from enforcing or carrying into effect any provisions of this act or who shall resist or the seizure of boats or nets legally used shall on conviction thereof in the manner provided in article XV of this act be subject to a fine of one hundred dollars (\$100)

(c) Provisions Applying to That Portion of the Delaware River Between Pennsylvania and New York

Section 541 Scope of Sub-Heading The provisions of sub-heading (c) shall affect and apply only to the propagation catching taking and protection and destruction of fish in that portion of the Delaware River lying between the Commonwealth of Pennsylvania and the State of New York Fishing in this portion of the Delaware River shall be in accordance with the general provisions of this act except as specifically modified by the provisions of this sub-heading

Section 542 Legal Devices for Taking Fish Closed Seasons for Shad Hereafter no person or persons shall cast draw or fasten or otherwise make use of any seines drift-net fyke net or net or nets of any other description or use any other appliance for the catching of fish except rod hook and line in that portion of the Delaware River lying between the Commonwealth of Pennsylvania and the State of New York Provided That this section shall not exceed to shad fishing Provided also That the meshes of nets used for catching shad shall not be less than three inches in width or one and one-half inches from knot to knot Provided also That it shall not be lawful to fish for shad with nets either shore drift gilling or dipnets or with any appliances whatever from June fifteenth to December thirty-first of any year

Any person or persons violating any of the provisions of this section shall on conviction as provided in article XV of this act forfeit or pay a penalty of one hundred dollars (\$100) together with the forfeiture to the board of all boats nets and all appliances

Section 543 Certain Nets and Devices Prohibited Hereafter no person or persons shall cast set draw fasten or otherwise make use of any fyke net or nets of any kind or device made from cotton or flax twine or wire netting similar to a fyke net for the purpose of catching fish in the Delaware River at any time in any year Every person offending shall on conviction in the manner provided in article XV of this act be punished by a fine not exceeding one hundred dollars (\$100) and the net or nets devices or appliances used shall be destroyed by the officer making the arrest

Section 544 Use of Nets Seines and Eelpots Prohibited Saturday Night and on Sunday It shall be unlawful for any person or persons to cast draw drift anchor set

stage or otherwise make use of any gilling net seines shore-net drift-net eelpot or any kind of net for the purpose of catching fish in the Delaware River from sunset on Saturday until twelve o'clock on Sunday night of each and every week and the person or persons so offending shall on conviction as provided in article XV of this act forfeit and pay a penalty of one hundred dollars (\$100) together with the cost of suit for each and every offense

Section 545 Use of Certain Devices Prohibited It shall be unlawful for any person or persons to place build erect fasten or use any fish-baskets gill-nets or any permanently set means for taking fish in the Delaware River nor shall any person at any time affix any nets fish-baskets fyke nets eel racks or any kind of appliances or set means of taking fish to any wing walls in the Delaware River Nor shall any person or persons erect build or place or cause to be erected built or placed any wing-wall or walls of stone or of any other substances or materials in the Delaware River for the purpose of affixing adjusting placing or setting thereto or adjacent thereto any of the above mentioned illegal devices contrivances or appliances for taking fish

Any person violating the provisions of this law shall on conviction in the manner provided in article XV of this act be fined fifty dollars (\$50) for the first offense Any person or persons so offending a second time shall on conviction in the manner provided in article XV of this act be liable to a fine of one hundred dollars (\$100) and imprisonment for three months in the county jail

Section 546 Closed Seasons for Certain Fish No person shall by any means or device whatsoever catch or kill in the Delaware River any rock-bass small-mouth bass and large-mouth bass between December first and June thirtieth in any year any wall-eyed pike between March second and May ninth in any year any species of trout or charr between September first in each and every year and the fourteenth day of April next ensuing any pickerel between March second and April thirtieth in any year all dates inclusive nor shall catch or kill any of said species of fish at any other time during the year save with rod hook and line

Any violation of this section shall on conviction as provided in article XV of this act subject the offender to a penalty of ten dollars (\$10) for each fish so caught

Section 547 Legal Sizes and Creel Limits of Fish Penalties (a) No person shall catch or kill in the Delaware River any small-mouth and large-mouth bass less than ten inches in length or wall-eyed pike less than twelve inches in length or any rock-bass under six inches in length any species of trout or charr less than six inches in length or any pickerel less than twelve inches in length but should any such fish be taken of a less size than the above it shall be the duty of anyone taking or capturing the same to return the fish immediately to the water from whence taken

Any violation of this law shall on conviction as provided in article XV of this act subject the offender to a penalty of ten dollars (\$10) and costs for each and every fish so caught and not returned to the water

(b) It shall be unlawful to take catch kill or have in possession in any one day more than fifteen in all of small-mouth bass and large-mouth bass fifteen wall-eyed pike twenty-five in all of brook brown rainbow steelhead and red throat trout or fifteen pickerel

Any violation of this subsection shall on conviction as provided in article XV of this act subject the offender to a penalty of ten dollars (\$10) and costs for each and every fish so taken caught killed or possessed in excess of the number permitted by this subsection

Section 548 Taking Fish for Bait Scientific and Stocking Purposes Nothing in this article shall be so construed as to prevent the catching of bait-fish other than game-fish by means of hand or cast nets for angling or scientific purposes or the catching of game-fish by order of any member of the board or authorities of the State of New York in the Delaware River for the purpose of stocking other water

Section 549 Seizure of Illegal Devices Interference with Officers Any fish warden deputy warden sheriff deputy sheriff constable policeman or any special officer of this Commonwealth is hereby authorized to destroy any fish-basket eel-weir fyke net shore-net drift-net dip-net wing wall or wing walls or any illegal device named in any section of this article and they are hereby authorized to arrest forthwith any person placing erecting using or fastening them Any person or persons interfering with any of the above officers in the discharge of their duties or resisting arrest shall on conviction as provided in article XV of this act pay a fine of one hundred dollars (\$100)

Article VI

Seine Licenses

Section 601 Seine Licenses Fees The board is authorized to issue "Seine License" upon a written application therefor signed by the applicant and upon the payment to said board of a fee of ten dollars (\$10)

Section 602 Kind of Seines Size of Mesh No seine or net shall be licensed for use except a haul seine sometimes called a shore seine a dip-net or a hold-in net sometimes called a moon rake The meshes of any of the above enumerated seines or nets shall be not less than two and one-half inches stretched fishing measure or one and one-quarter inches from knot to knot while being fished

Section 603 Contents Expiration and Production of License The license certificate shall be prepared by the board and shall show the date of issue the name and place of residence of the licensee and the name and number of the seine or net licensed and the waters in which such seine may be used for taking fish The certificate may contain such other matters as the board may determine All seine licenses shall expire on the twenty-first day of June next following the date of issue Such certificate shall be shown by the licensee to any fish warden constable or other person authorized to make arrests for violation of any provisions of the laws of this Commonwealth relating to fish

Section 604 Waters for Use of Seines Seasons Kinds of Fish No person shall fish with a seine or net or set the same in the waters of Pymatuning Lake nor in any inland waters of this Commonwealth except within the limits of the tidal water of a tidal stream No person shall fish with a seine or net within the limits of the tidal waters of a tidal stream of this Commonwealth except from the first day of March to the twentieth day of June

No person shall from the first day of March to the twentieth day of June fish with a seine or net within the limits of the tidal waters of any tidal stream of this Commonwealth for any fish other than shad herring or alewife and carp A person who catches in a licensed seine during the license period fish other than those enumerated in the proceeding paragraph shall not be guilty of violating the provisions of said paragraph if he immediately returns such fish so taken to the waters from which taken No person shall from the first day of March to the twentieth day of June fish in the waters within the limits of the tidal waters of any tidal stream of this Commonwealth with a seine or net other than a licensed net or seine

Section 605 Owner's Consent for Removal of Fish Required Exception No person shall remove fish from any licensed seine or net without the consent of the owner thereof except that any person may return to the water any fish not authorized to be taken by such device

Section 606 Penalty Any person violating any provisions of this article shall on conviction in the manner provided in article XV of this act be sentenced to pay a fine of one hundred dollars (\$100) and shall forfeit to the board all nets seines boats or appliances unlawfully used

Section 607 Exceptions The provisions of this article do not apply to fish artificially propagated under the authority of this act

Article VII

Artificial or Natural Propagation or Sales Licenses

Section 701 Board May Issue Propagation or Sales Licenses The board is authorized to issue an artificial or natural propagation license for the propagation of all species of trout and all species of bass upon a written application therefor signed by the applicant and upon the payment to the board of the sum of twenty-five dollars (\$25) for the propagation of gold fish the sum of five dollars (\$5) and for any other species of fish the sum of five dollars (\$5) Provided That a person licensed to propagate bait-fish may also propagate and sell fish-bait The board is authorized to issue a license for the sale of all species of bait-fish and fish-bait upon a written application therefor signed by the applicant and upon the payment to the board of the sum of one dollars (\$1)

Section 702 Applications for License Expiration Applications shall be made on blanks prepared by the board and shall show the size character and purpose of the propagation plant and such other matters as the board may require All licenses issued under this article shall expire on the first day of January next following the date of issue.

Section 703 Waters Usable No dams ponds or other devices which will prevent the free migration of fish shall be erected or placed by a person licensed under this article in any stream flowing over his property No person shall use the ponds so licensed for any purpose other than for commercial fish purposes or taking ice or water for domestic purposes

Section 704 Propagating Farm Fish Ponds Any person as owner or lessee of any lands who is desirous of constructing thereon a dam or pond wholly within his land of an area not exceeding ten acres of water surface for the natural production or artificial production of fish may apply to the board for a permit therefor If the board after investigation shall be of opinion that such dam or pond will not be prejudicial to the public interest it may in addition to a permit granted by any other department or agency grant a permit therefor authorizing the construction and maintenance thereon payment of a permit fee of five dollars (\$5) in addition to the appropriate fee for a propagating license

To supply such dam or pond with water the licensee may use the waters of any springs wholly within his land and may also divert water from any stream crossing his land into such dam or pond by pipe or sluice way the water however after leaving such dam or pond to be returned to the stream on his premises below such dam or pond During the period for which such person obtains and holds a fish propagation license he may take dispose of or sell fish produced in said dam or pond also bait-fish and fish-bait under the conditions required by his propagation license

If such person shall not have and hold a propagation license duly renewed fish may be taken from such dam or pond only in accordance with the provisions of this act relating to fishing in the inland waters of this Commonwealth

Section 705 Authority under License The license issued by this article authorizes the licensee to carry on the business of propagation and sale of the species of fish authorized by the license or the eggs thereof during the year for which the license is issued The license authorizes the licensee to catch and kill the fish authorized by the license from the licensed ponds in any manner whatsoever except with explosives chemicals or poisonous substances and except by angling therefor by hook and line fishing during the closed season Provided however That the license may permit persons holding a fishing license to angle for and catch such of the fish during the open season only fixed for such fish by this act for the Inland Waters of this Commonwealth as they may intend to purchase The license further authorizes the licensee to sell or dispose of in any manner whatsoever the fish authorized

the license or the eggs thereof at any time of the year
 Section 706 Authority Denied Under License The license
 issued under this article does not authorize the catching
 fish out of any stream flowing over the property of the
 license for the purpose of stocking his propagation plant
 for sale except out of the Susquehanna River from
 McCall's Ferry Dam to the Maryland State line and the
 tidal waters of any tidal stream in this Commonwealth

Section 707 Sales of Fish Bait-fish and Fish-bait Regu-
 lated A person selling fish bait-fish or fish-bait under the
 license provided by this article shall furnish the purchaser
 with a certificate or invoice of the sale bearing the date
 the sale the number of the license under which sold the
 number of fish and fish-bait and number of pounds sold
 the certificate or invoice must be shown by the holder on
 demand of any fish warden clerk of the market constable
 any person authorized to make arrests for violation
 the laws of this Commonwealth relating to fish The
 certificate or invoice shall authorize the sale or holding
 possession of the fish or fish-bait so purchased for a
 period of six days after its date of issue except in the
 case of bait-fish or fish-bait which may be held in
 possession by dealers and purchasers until disposed of
 Section 708 Reports by Licensee Inspection of Premises
 A person holding an artificial or natural propagation
 license under this article shall annually on the first day
 of January file with the board a written statement duly
 sworn to showing the number value and number of
 pounds of fish or the eggs thereof bait-fish and fish-bait
 sold or disposed of during the year The books and prop-
 erty of the persons licensed under this article shall be
 open to the board or its agents for inspection at all rea-
 sonable times

Section 709 Stocking Regulations No person licensed
 under this article shall in any manner stock or maintain
 an establishment with any species of fish or eggs there-
 taken from any waters within this Commonwealth not
 owned occupied or controlled by him This section does
 not prohibit the exchange of fish eggs or the fry of any
 species of fish with the board

Section 710 Authority of Licensee to Kill Fowl and
 Wild Birds A license issued under this article authorizes
 the licensee or his agent to kill after five days' notice
 their owner if known any domestic bird or fowl tres-
 passing on the waters or lands controlled used or oc-
 cupied entirely for the artificial or natural propagation of
 fish Such license also authorizes the licensee or his agent
 to kill any wild birds or wild animals destructive to fish
 whenever found on such waters or lands

Section 711 Unlawful Acts No person shall artificially
 propagate or sell any species of fish or fish-
 bait without first procuring the license provided by this
 article No person receiving a license as provided by this
 article shall operate a propagating plant different from
 that designated in the license No person shall fish or tres-
 pass with intent to fish in or upon any waters or bed or
 banks of any waters or any banks owned controlled or
 occupied by persons licensed by this article without con-
 sent of the licensee No person shall wilfully or maliciously
 destroy or damage any ponds property or appliances what-
 ever of a propagating plant licensed under this article No
 person shall interfere or obstruct pollute or diminish the
 natural flow of water into or through a propagating plant
 licensed under this article

Section 712 Penalty Any person violating any provisions
 of this article shall on conviction in the manner provided
 in Article XV of this act be sentenced to pay a fine of
 one hundred dollars (\$100) In addition to such penalty
 the license of such person may be revoked for one year
 for the first offense and two or more years for the second
 offense at the discretion of the board

Article VIII

Dams Fishways Bar-racks Obstructions Etc
 (All Waters)

Section 801 Devices to Enable Fish to Migrate to be

Erected at Dams Any person now or hereafter erecting
 or maintaining a dam in the waters of this Commonwealth
 shall immediately on a written order from the board erect
 therein such chutes slopes fishways gates or other devices
 as the board may deem necessary to enable the fish to
 ascend and descend the waters at all seasons of the year
 but in lieu of requiring the erection of such chutes slopes
 fishways gates or other devices at any dam where the
 same is not deemed by the board to be practicable or
 advisable for the ascending or descending of fish the board
 is empowered to enter into an agreement with the owner
 lessee or operator of such dam to pay to the board annu-
 ally or at other stated periods a sum of money which
 shall not be less than four and one-half per centum
 (4½%) per annum upon the estimated cost of the erec-
 tion of such chutes slopes fishways gates or other devices
 except in such cases where the amount so calculated would
 be equal to or exceed the sum of four thousand dollars
 (\$4000) per annum then the annual payment shall in all
 such cases be four thousand dollars (\$4000) per annum
 to be expended by the board for the purpose of stocking
 with fish the waters of the pool above said dam and for
 the purpose of propagating rearing and distributing the
 fish actually placed in said waters and the acquisition of
 the necessary facilities therefor Any money received by
 the board pursuant to such an agreement shall be paid
 into the Fish Fund and is hereby specifically appropriated
 to be expended by the board for the purposes above
 named

Section 802 Devices to be Maintained Every such chute
 slope fishway gate or other device shall be maintained
 open and in good order and repair by the person owning
 or maintaining such dam until said dam is removed raised
 or rebuilt

Section 803 Closing of Devices Any chute fishway or
 other device aforesaid may be closed for repairs at the
 time of low water but such closing shall only be for a
 period of thirty days at any time

Section 804 Penalty Any person neglecting or refusing
 to comply with sections eight hundred one and eight hun-
 dred two of this act after notice provided in section eight
 hundred one of the act shall on conviction forfeit and
 pay a fine of one hundred dollars for every month such
 person so refuses or neglects Such sum shall be recovered
 by civil suit or process in the name of the Common-
 wealth

Section 805 Erecting of Devices by Board Collection of
 Cost If after the lapse of one calendar month from the
 date of notice provided by this act the person owning or
 maintaining said dam neglects or refuses to erect or place
 or maintain unchanged open and in good order and re-
 pair the appliance as directed by the board said board is
 authorized to enter upon such dam and erect such slopes
 chute fishway or gate or make such repairs as may have
 been directed as aforesaid The cost thereof shall be
 charged against the person owning or maintaining such
 dam by the board and may be recovered by civil suit and
 process in the name of the Commonwealth

Section 806 When Commonwealth to Pay Cost of Erec-
 tion Where by reason of any dam having been con-
 structed prior to any requirements by law for the placing
 of chutes slopes or fishways therein or for any other
 reasons the owner or person maintaining such dam cannot
 be compelled by law or action to pay the cost of erecting
 such chute slope or fishway or directed by the board
 such cost shall be paid by the Commonwealth of Penn-
 sylvania out of such funds as may be appropriated there-
 for

Section 807 Drawing Off Dams (a) No person owning
 leasing or maintaining a dam holding back waters shall
 draw off such water without first applying for written
 permission from the board nor shall any such person
 obstruct the flow of water through any such dam without
 allowing sufficient water at all times to flow in the natural
 stream on which such dam is located to enable fish to
 live Any person violating the provisions of this sub-

section shall on conviction as provided in article XV of this act be sentenced to pay a fine of one hundred dollars (\$100) for each offense

(b) Interference with Dams Deflectors and Retards Etc Dams deflectors retards or similar devices placed across or in any waters with permission of the owner or owners of the land adjacent thereto or through which such water flows shall not be destroyed removed breached or disturbed except by written permission first obtained from the board Any person or persons violating the provisions of this subsection shall on conviction as provided in article XV of this act be sentenced to pay a fine of ten dollars (\$10) for each dam deflector retard or similar device destroyed or removed or breached or disturbed

Section 808 Fishing near Dam Prohibited No person shall fish except with a rod hook and line within one hundred feet of the lower end of any fishway or dam or within such other distance as the commissioner may determine Such distance shall be plainly posted on the fishway or adjacent shore Any person violating the provisions of this section shall on conviction as provided in article XV of this act be sentenced to pay a fine of one hundred dollars (\$100)

Section 809 Placing Bar-racks Any person owning or maintaining a race-way flume or inlet-pipe leading to a water-wheel turbine pump or canal shall immediately upon receipt of a written order from the board place and maintain a bar-rack of not less than one-half inch nor more than an inch and a half space between the bars in or near such raceway flume or inlet-pipe sufficient to prevent fish from entering therein Any person refusing or neglecting to comply with such order for a period of one month shall on conviction forfeit and pay a fine of one hundred dollars (\$100) and costs of prosecution

Section 810 Erection of Bar-racks by Board Collection of Cost If one month after the notice provided in section eight hundred nine of this act the person owning or operating such raceway flume or inlet pipe has not placed such bar-rack as may have been directed the board is authorized to enter upon such raceway flume or inlet pipe and place a bar-rack of not less than one-half inch nor more than an inch and a half space between the bars The cost thereof shall be charged against such owner or operator and if not promptly paid may be recovered by civil suit and process in the name of the Commonwealth

Section 811 Penalty for Preventing Migration of Fish No person shall place any device or object in the waters within this Commonwealth in such a manner as to obstruct the migration or passage of fish therein or to obstruct any fishway Any person violating the provisions of this section shall on conviction as provided in article XV be sentenced to pay a fine of one hundred dollars (\$100)

Section 812 Removal of Obstructions by Fish Wardens etc Any obstruction in the streams of this Commonwealth not permitted by law shall when found be immediately removed by the board any fish commissioner fish warden sheriff or other peace officer

Article IX

Pollution Trespass on State Hatcheries (All Waters)

Section 901 Pollution of Waters Prohibited Explosives No person shall put or place in any waters within or on the boundaries of this Commonwealth any electricity explosives chemicals or any poisonous substances whatsoever No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allowed to run flow wash or be emptied into any waters within this Commonwealth unless it be shown to the satisfaction of the Board of Fish Commissioners or to the proper court that every reasonable and practicable means has been used to abate and prevent the pollution of waters in question by the escape of deleterious substances

Section 902 Permits for Use of Explosives The preced-

ing section of this article does not prohibit the use of explosives for engineering purposes when a written permit has been given therefor by the National proper State or proper municipal government authorities

Section 903 Penalty Any person violating the preceding provisions of this article shall on conviction as provided in article XV of this act be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and costs

Section 904 Evidence in Prosecution for Pollution In prosecutions under this article for the pollutions of waters by substances known to be injurious to fish or to fish food it shall not be necessary to prove that such substances have actually caused the death of any fish or fish food

Section 905 Trespass on State Hatcheries and Premises No person shall fish or trespass with intent to fish either upon any waters or bed or banks of any water or any lands controlled or owned or occupied by the board for any fish hatchery or propagation plant or fish farm or other propagating area or other purpose except such part thereof as the board may declare upon for public fishing No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatsoever of the board nor interfere obstruct pollute or diminish the natural flow of water into or through any State hatchery Any person violating the provisions of this section shall on conviction as provided in article XV of this act be sentenced to pay a fine of one hundred dollars (\$100)

Section 906 Diversion of Water Supply from Hatchery No person shall hold back or divert or pollute any water necessary to lawfully supply and operate any propagation plant or establishment or fish hatchery or fish farm Penalty for violation thereof to be one hundred dollars (\$100) and costs

Section 907 Screening of Flumes and Raceways Flumes and raceways in any dam must be duly screened to prevent the passage of fish through them The board is authorized to enforce this section by its order

Article X

Sale of Fish Market Hotels Etc Reports General Provisions

Section 1001 Sale of Certain Fish Prohibited No person and no proprietor manager clerk or agent of any market hotel boarding-house eating-house restaurant or saloon shall purchase sell or expose for sale (a) any brook trout or any species of trout or charr caught in waters wholly within this Commonwealth (b) any small-mouth bass or large-mouth bass or any other species of game-fish caught in waters wholly within this Commonwealth or any small-mouth bass or large-mouth bass or any species of trout except lake trout caught in waters within this Commonwealth or caught in the waters outside this Commonwealth and received in interstate commerce or otherwise or (c) any striped bass or rock fish under twenty inches in length caught in waters wholly within this Commonwealth or any striped bass or rock fish under twenty inches in length caught in waters without this Commonwealth and received in interstate commerce or otherwise No person and no proprietor manager clerk or agent of any market hotel boarding-house eating-house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise

Section 1002 Reports of Sales of Fish A person engaged in catching fish for market or who may be engaged in the sale of fish shall on demand of the commissioner furnish at the close of each calendar year a duplicate statement of their sales of fish and the gross amount of money realized The contents of such reports shall be used by the board entirely for statistical purposes The contents of such reports so received by the board shall not be made public without the written consent of the owner

Section 1003 Penalty Any person violating the provisions of this article shall on conviction as provided

in article XV of this act be sentenced to pay a fine of five dollars (\$5) for each and every fish had in possession or used sold or transported in violation of this article

Section 1004 Unlawful to Sell Bait-fish or Fish-bait It shall be unlawful for any person to sell or offer for sale or have in confinement for sale any bait-fish or fish-bait taken from any waters of this Commonwealth or boundary waters thereof except Lake Erie which are not propagated or sold pursuant to a propagating or selling license granted under the provisions of this act except as hereinafter provided

Section 1005 Exceptions This article does not prohibit any person from employing a guide to accompany him when fishing nor does it apply to fish bait-fish or fish-bait artificially propagated and sold under the authority of this act

Section 1006 Sale of Bait-fish and Fish-bait Prohibited Bait-fish and fish-bait as defined by this act lawfully taken outside of this Commonwealth or purchased from a license propagating operator or plant or establishment within this Commonwealth may be lawfully sold and held in confinement for sale within this Commonwealth in any numbers Provided That the person selling or offering the same for sale shall have a license as provided herein and shall on demand of any officer having authority to enforce the act exhibit to such officer a bill of sale receipted invoice or certificate dated within thirty days next preceding the time of sale or offering for sale for the same stating the place where purchased the person from whom purchased and if caught or taken by the person selling or offering the same for sale or held in confinement for sale a license from the proper authority authorizing him to take or propagate the same if a license is required in the state where taken otherwise such sale or offering for sale of bait-fish or fish-bait shall be illegal and on conviction subject such person to a fine of two dollars (\$2) for each bait-fish or fish-bait sold or offered for sale and all those held in confinement shall be forfeited to the board and may be seized or taken by the officer to be disposed of under the direction of the board

Section 1007 Transportation Common Carriers (a) No common carrier or employe thereof shall while engaged in such business transport any fish or parts thereof not lawfully salable nor shall such carrier or any of its employes knowingly receive or possess such fish

(b) Salable Fish Any person may transport fish lawfully taken or lawfully had in possession or salable fish within and from within to without this Commonwealth during the open season and during five days immediately following in any number and any manner if he shall accompany the shipment Provided however That fish raised in private licensed hatcheries or propagating plants or in licensed preserves which may be lawfully imported and sold may be lawfully transported within and from within to without this Commonwealth by any means or any manner except parcel post but must be tagged the tag bearing the name of the consignor the name of the consignee and his address and stating on the tag the number and character of the contents of the tagged package or box

(c) Any person having lawfully caught or taken non-salable fish may carry or transport the same within and from without to within this Commonwealth during the open season where caught and during five days immediately following but only such number which may be lawfully taken by one person in one day providing the fish are in his possession or that he accompanies the shipment whether in his immediate possession or in a package box or basket notwithstanding that there may be a closed season for the same in this Commonwealth Provided however That such person shall on request of any officer of this Commonwealth exhibit a license from the state province or county where the fish were caught authorizing him to take or catch such fish

(d) Any person may carry or transport from within to without this Commonwealth fish lawfully taken by

him during the open season for taking the same in the state province or country where caught except by parcel post when the taker carries the same or accompanies the shipment and exhibits a license to any officer having authority to enforce this act demanding the same authorizing him to take such fish

(e) It shall not be unlawful for any person who has lawfully taken or is lawfully possessed of fish who has accompanied them to his residence or place of abode for the time being to dispose of the same by gift to persons of his acquaintance and such done may carry the same to his place of abode or dispose of the same by gift or consume the same at the place where so received

(f) Salable fish lawfully taken or had in possession may be imported or transported by any means or in any number or disposed of in any manner except as otherwise expressly provided in this act

(g) Fish for propagation purposes or distribution to other waters when lawfully acquired or legally possessed may be transported at any time in any manner

Any person who violates the provisions of this section by shipping transporting or conveying fish or offering the same for shipment contrary to the provisions hereof or by knowingly receiving as a common carrier or his or its agent for transportation of fish in violation of this section shall be subject to a fine of twenty-five dollars (\$25) for each offense together with costs

Article XI

Fishing Licenses

General Provisions Applying to All Waters

Section 1101 Fishing License Except as otherwise hereinafter provided no person shall fish in any of the waters of this Commonwealth or boundary waters thereof without having procured from the proper authority a license therefor

Section 1102 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application signed by the applicant or by the person applying in his behalf on the form furnished for the purpose by the issuing agent to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents (\$1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "resident fishing license"

Residents of this Commonwealth under the age of sixteen years may fish in the waters of this Commonwealth and boundary waters thereof without a license

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any County Treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization Provided That nonresidents in the armed forces who have been officially stationed within this Commonwealth for thirty days or more next preceding the application shall be entitled to a resident fishing license upon payment of the fee therefor

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon request and the payment of a fee of fifty cents (50c)

Upon the making of an application by a person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar (\$1) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 1103 Nonresident and Alien Nonresident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Nonresident (a) For the purpose of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a nonresident of this Commonwealth shall upon the payment to the issuing agent or the Department of Revenue of the same amount as is charged and received from nonresidents by the state of which the applicant is a resident for a similar license (not however less in any case than two dollars and fifty cents (\$2.50)) and in the event the license is issued by an issuing agent the payment of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "nonresident fishing license"

(b) For the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a nonresident of the Commonwealth and not a citizen of the United States shall upon the payment to the issuing agent or the Department of Revenue of a license fee of two dollars (\$2) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of three consecutive days Provided however That such children under the age of twelve years may fish without a license during such consecutive days

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue upon request In case the button is lost or destroyed the license can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon request and the payment of a fee of fifty cents (50c)

Section 1104 Unnaturalized foreign-born residents not to fish except as otherwise provided in this act it shall be unlawful for any unnaturalized foreign-born resident to go fishing for or capture or kill in this Commonwealth any fish of any description provided however that the Commissioner may issue not more than fifty special fishing permits or complimentary licenses in each year to unnaturalized foreign-born persons or distinguished nonresidents each and every person violating any provisions of this section shall upon conviction thereof in the manner provided in Article XV of this act be sentenced to pay a penalty of twenty dollars (\$20) for each offense

Section 1105 Unnaturalized foreign-born resident defined for the purpose of this act any unnaturalized foreign-born person who shall reside or live within the boundaries of the Commonwealth of Pennsylvania for ten

consecutive days shall be considered a resident and shall be liable to the penalties imposed for violation of the provisions of this act

Section 1106 Applications for Licenses License Year All licenses shall be issued on forms prepared and supplied by the Department of Revenue the cost thereof to be paid from the fish license fund hereinafter provided for The license shall show the name age occupation and residence of the licensee and the date of its issue It shall also contain the signature of the licensee written in ink and shall authorize the person named therein to fish or angle in the waters of this Commonwealth or in the waters of this Commonwealth or in the waters bounding or adjacent thereto under the restrictions and requirements of existing laws during the year the date of which is inscribed thereon The license shall become void upon the thirty-first day of December next following the date of issue The license may contain such other information as the Department of Revenue may require There shall also be issued with each license a license button bearing the license number

Section 1107 Issuing Agent's Record Every issuing agent of this Commonwealth shall keep on a printed form to be supplied by the Department of Revenue a correct and complete record of all resident and nonresident fishing licenses issued by him Every issuing agent shall cause to be entered on such printed form at the close of each week the name and place of residence of each individual to whom a license shall have been issued that week Such printed form shall be available at reasonable hours for the inspection of any officer of the Commonwealth whose duty it is by law to protect the fish in the waters of this Commonwealth or in the waters bounding or adjacent thereto or of any representative of the Department of Revenue or of any representative of the Department of the Auditor General

Section 1108 Weekly Returns of Licenses Issued by Issuing Agents Every issuing agent of this Commonwealth shall each week forward to the Department of Revenue a complete list of the resident and nonresident licenses granted with the names and addresses of the licensees on forms to be furnished by the Department of Revenue

Section 1109 Issuing Agent to be Agent of the Commonwealth Weekly Payments to State Treasurer Duplicate Report The issuing agents in the several counties shall be agents of the Commonwealth for the collection of said license fees unless and until the Department of Revenue shall determine with the approval of the Governor to issue all of said licenses directly Provided That the Department of Revenue may recall the appointment of any agent at any time with or without cause and shall recall the appointment of any agent either upon receipt of evidence that such agent has not complied with the requirements of this act or upon receipt of a recommendation from the Commissioner of Fisheries that such agent be recalled because of carelessness in the issuance of licenses For services rendered in collecting and paying over the said fees the said issuing agents as long as they continue to act in that capacity shall be allowed to retain the sum of ten cents (10c) for each resident and non-resident fishing license which amount shall be full compensation for services rendered by them under the provisions of this act Such compensation shall be retained by the respective issuing agents said compensation to cover among other things the cost of issuing licenses postage mailing returns and bonding of said agents

All license fees except said agent's fees paid to an issuing agent under this act shall be by such agent paid into the State Treasury through the Department of Revenue at least once a week to be applied to the purposes hereinafter provided Such issuing agent shall make a return to the Department of Revenue upon a form to be supplied by the Department of Revenue and shall in all such cases forward a duplicate of such report to the Commissioner of Fisheries at Harrisburg Every agent designated to issue fishing licenses unless already under

bond to the Commonwealth in connection with public funds shall give bond to the Commonwealth in the sum of one thousand dollars (\$1000) before the annual supply of licenses is delivered to him

Section 1110 Unlawful to Fish Without License Except as in this act otherwise provided no person sixteen years of age or over shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth without having first lawfully procured the license hereinafter provided and while fishing shall continually keep it about the person of the licensee and exhibit the same upon the request of any fish warden sheriff constable or other officer of the Commonwealth No person shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth unless the license button be at such time continually displayed on the outer garment in such manner that the license figures are plainly visible Any person having obtained a license who has neglected to sign the license with his signature written in ink or fails to keep such license about his person while fishing or fails to exhibit the license button on an outer garment while fishing in the manner provided by this act the person so offending shall be subject to a fine of two dollars (\$2) and costs of prosecution for each offense

The provisions of this section shall not apply to a person holding a fishing license issued pursuant to the laws of the State of New York when fishing by angling in that portion of the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of this State if the persons holding angling license issued pursuant to the provisions of this act when fishing by angling in the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of the State of New York are not required to have New York licenses Nor shall the provisions of this section apply to a person holding a fishing license issued pursuant to the laws of the State of Ohio when fishing by angling in the waters of Pymatuning Lake or reservoir within the jurisdiction of this State if the persons holding licenses issued pursuant to the provisions of this act when fishing by angling in the waters of said lake within the jurisdiction of the State of Ohio are not required to have Ohio licenses Provided however That where the persons doing such fishing shall fish from the bank on lands in Pennsylvania then a Pennsylvania license shall be required And provided further That where such fishing is done by persons residing in Pennsylvania whether permanently or temporarily a Pennsylvania license shall be required

Section 1111 Loan and Transfer of License Prohibited False Information No person shall alter loan borrow or transfer any license authorized by this act nor give any false or misleading information to the issuing agents or to the Department of Revenue its officers or agents in the application therefor

Section 1112 Penalty Revocation of License Period of Revocation Any person violating any provision of this article excepting the neglect to sign the license issued to him or failing to keep such license continually about his person while fishing or failing to exhibit the license button on an outer garment while fishing shall on conviction in the manner provided in article XV of this act be sentenced for each offense to pay a fine of twenty-five dollars (\$25) It shall be unlawful for any person to obtain or use a fishing license during the period for which his license was revoked and any person violating this provision shall be subject to the penalty provided in this section In addition to any penalty provided for any violation of this act the fishing license of any person convicted or signing an acknowledgement as hereinafter provided shall be void and may be revoked and the license fee paid for the license forfeited and the license and license button shall be surrendered by such person and immediately sent by the court making the conviction or the officer taking the acknowledgment to the board at Harrisburg In such cases and in cases where

a person has been convicted of a violation of this act who does not possess a fishing license the board shall notify him of the time during which he shall not be eligible to possess a fishing license and during which period he may not apply for such a license but no such period shall exceed three years

Section 1113 Certain Persons Exempted from Licenses No person now required by law to procure a license to propagate fish for sale shall be required in addition to secure a license provided by this act in order to enable such person to exercise those rights conferred by the propagation license

The provisions of this article shall not apply to nor prevent the owner of any farm or land situated in this Commonwealth who actually resides thereon throughout the year or the members of his family so residing upon said farm or land from angling or fishing in waters within the limits of said farm or land without such license The exemption provided by the foregoing provisions of this section shall not apply to any person temporarily residing upon said farm or land or any tenant thereon who is not a member of the family of said owner nor shall said exemption apply to any servant or employe of said owner

Article XII

Provisions Relating to Frogs and Terrapin

Section 1201 Frog and Terrapin Law It shall be unlawful for any person to catch take kill or have in possession any bullfrogs or tadpoles from the first day of November to the first day of July both dates inclusive and terrapin from the fifteenth day of March to the first day of November both dates inclusive in each year Any person violating any of the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of ten dollars (\$10) for each frog tadpole or terrapin and costs

Section 1202 Unlawful Catch of Bullfrogs It shall be unlawful for any person to catch kill or have in possession in any one day more than twenty-five bullfrogs or more than fifty in any one season Any person violating any of the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of ten dollars (\$10) for each and every frog so taken caught or had in possession in excess of the lawful number

Section 1203 Unlawful to Catch Tadpoles It shall be unlawful for any one person to catch take or kill more than twenty-five tadpoles in any one day or have more than twenty-five tadpoles in possession at any one time Any person violating any of the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of five dollars (\$5) for each and every tadpole so taken caught or had in possession in excess of the lawful number

Section 1204 Unlawful Catch of Terrapin It shall be unlawful for any one person to catch take or kill more than five terrapin in any one day or more than fifty in any one season Any person violating any of the provisions of this act shall on conviction as provided in article XV of this act be subject to a penalty of five dollars (\$5) for each and every terrapin so taken caught or had in possession in excess of the lawful number

Section 1205 Use of Light in Catching Bullfrogs Unlawful It shall be unlawful to catch take or kill or to attempt to catch take or kill any bullfrogs by the use of a light at night Any person violating any of the provisions of this section shall on conviction thereof as provided in article XV of this act be subject to a penalty of twenty-five dollars (\$25)

Article XIII

General Powers and Duties of the Commissioners and Fish Wardens

Section 1301 Permission to Fish for Scientific and Stocking Purposes The commissioner may with the approval of the board grant permission to catch fish in any of the waters of this Commonwealth at any season of the

year and with any kind of nets or devices for a period not exceeding one year to a person engaged in scientific research or for the propagation of fish and sale of fish propagated under license and the stocking of waters therewith Persons permitted to fish pursuant to the foregoing provision of this section shall make a return in writing to the Commissioner of all fish caught by them and also the use made by them of the fish so caught

Section 1302 Stocking Fish No person shall stock fish in any waters of this Commonwealth which are taken or procured from without this Commonwealth without a permit from the board nor if taken from within this Commonwealth contrary to the rules and regulations of the board

The spawn of any species of trout or of small mouth bass or large mouth bass shall not at any time be removed from their spawning beds except by the board or permit from the board

Section 1303 Fish for Stocking Nothing in this act shall prevent the board or its employees under its order from taking fish at any time or place or in any manner for the maintenance of any hatchery or fish farm operated by the board for the purpose of stocking any ponds lakes streams or waters or from removing carp or other fishes from waters when their presence therein is in the opinion of the board injurious to other fish or aquatic life therein

Section 1304 Power of Commissioner and His Agent to Fish Rules and Regulations The commissioner or his agent may catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices The commissioner with approval of the board may promulgate and enforce such rules and regulations for the angling catching or removal of fish in or from any of the inland waters artificial or otherwise and the boundary lakes and boundary rivers of this Commonwealth as he may deem necessary To aid in the better protection of fish in any of the inland waters and boundary lakes and boundary rivers of this Commonwealth the board may also reduce or increase open seasons and creel possession number size and season limits or may reduce close or open or extend season as in its judgment may be necessary to conserve the future fish supply in any portion of the inland waters and boundary lakes and boundary rivers of this Commonwealth To reduce or increase open seasons or creel limits or to open or close seasons for fishing in any portion of the inland waters or boundary lakes or boundary rivers of the Commonwealth the board shall prepare and distribute such posters or notices as in its judgment may be necessary to give due notice of its regulations adopted hereunder Any person violating any of said rules and regulations shall unless otherwise provided in this act upon conviction as provided in article XV of this act be sentenced to pay a fine of twenty dollars (\$30) and in addition thereto may be fined five dollars (\$5) for each fish caught taken or had in possession contrary to such rules and regulations of the board

Section 1305 Motor Boats After investigation of upon information otherwise obtained if the board shall find as a fact that the use and operation of motor boats or gas gasoline or oil operated boats are injurious or deleterious to fish or aquatic life in any of the inland waters of this Commonwealth the board is hereby authorized to prohibit the use and operation of such boats on any such waters or to restrict and regulate the use and operation thereof by its resolution duly adopted and published

If any person shall violate the provisions of the board promulgated pursuant hereto he shall on conviction be liable to a penalty of fifty dollars (\$50) and costs for each offense Each day's operation of a motor boat in violation of this section shall constitute a separate offense

Section 1306 Free Distribution of Fish The Board of Fish Commissioners shall make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order of preference First

to the waters of the Commonwealth open for public fishing and to the waters within the forestry reserve belonging to the Commonwealth Second to any waters belonging to the Commonwealth and under the control of the Board of Game Commissioners thereof which under the rules and regulations of the Game Commission are open to public fishing The Board of Fish Commissioners may purchase fish from any propagating plant in this Commonwealth or elsewhere or exchange certain fish or fish eggs for other species for the purpose of distribution to waters of this Commonwealth open to public fishing and may distribute and plant fish without an application in any of the waters within the state in which the public are permitted to fish

Section 1307 Penalty for False Representation in Procuring Fish Any person who shall by false representation receive fish from the board and plant the same in waters where the public are not allowed to fish shall on conviction in the manner provided by article XV of this act be sentenced to pay a fine of twenty-five dollars (\$25) and costs for each offense

Section 1308 Streams and Lakes to be Free for Fishing Any part of any stream or lake or pond in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the board at the request of the owner thereof shall be open to the public for the purpose of lawful fishing for a period of two years thereafter Provided however That the board may require a written request from such owner in form provided by the board which form contains a provision granting to the public a right to fish on or from said owner's land together with a right of ingress egress and regress therefor for a period of two years from that date of said request but nothing in this section shall be construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or the improvements thereon or to any crops or livestock or poultry thereon

Notwithstanding the provisions of this section whenever any stream is stocked with trout during the open season for trout the Board of Fish Commissioners may close such stream or any part thereof to fishing for a period of any number of days not exceeding five days after the same has been stocked Whenever any stream or part of stream is closed to fishing under the provisions of this portion thereof that has been closed shall be posted with signs giving notice of such closing together with the date of stocking and the date when such stream or part thereof will again be open to fishing And provided further That the board shall be authorized to close to public fishing any stream or part thereof which has been or continues to be approved by the board for stocking with trout

Any person fishing in any stream or part of a stream during the period the same has been closed to fishing under the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of twenty-five dollars (\$25) and costs

Section 1309 Nursery Waters The board is authorized to set aside on agreement with the land owner or at its discretion or upon petition of one hundred and fifty residents of the county in which such waters are located who shall be holders of fishing licenses such streams lakes dams ponds or parts thereof as it may judge best as nursery waters in which fishing shall be prohibited for such periods of time as the board may prescribe Before setting aside such waters the board through the commissioner shall give public notice of closing such waters by publishing the prohibition and the duration thereof in such manner as the board may prescribe Notice of such closing shall also be posted along the banks of such waters so closed the board may take fish and remove and distribute them to other waters open to public fishing Any person other than the board and its officers and employees fishing catching or filling any fish from any stream or water so closed shall on conviction in the manner pro-

vided by article XV be sentenced to pay a fine of one hundred dollars (\$100) and costs

Section 1310 Powers of Fish Wardens A fish warden shall have power (a) To enforce all the laws of the Commonwealth relating to fish (b) To execute all warrants and search-warrants for the violation of the fish laws (c) To arrest on view any person in the act or is immediate pursuit after the act any person violating the fish laws or in possession of fish unlawfully caught or unlawfully held or shipped or transported or about to ship the same or in possession of or using any unlawful device for taking fish (d) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (e) To carry firearms or other weapons concealed or otherwise in the performance of his duties (f) To stop and inspect or search at any time without warrant any vehicle or conveyance and its occupants or contents any time or place within this Commonwealth Provided however That such officer shall be in uniform and display his badge or other insignia of identification and shall state to be person in charge of said vehicle or conveyance the purpose of said inspection or search (g) To search for fish without warrant any boat conveyance vehicle fish-box bag coat clothing basket or other receptacle and examine any clothing worn by any person when he has reason to believe that any provisions of any law of this Commonwealth relating to fish have been violated (h) To seize and take possession of any and all fish bait-fish and fish-bait found in possession or under control of any person who has violated this act and all fish which may have been caught taken or killed at any time in any manner or for any purpose or have been shipped or are about to be shipped when taken or held contrary to the laws of this Commonwealth to seize and take possession of unlawful devices the use of which is prohibited by this act and devices unlawfully used and all fish bait-fish taken by the use thereof to be disposed of as in this act provided Fish fish-bait and bait-fish so seized shall be disposed of in any manner as the commissioner may direct (i) To enter upon any land or water posted or otherwise in the performance of his duty (j) To demand and secure proper assistance in case of emergency (k) To purchase fish for the purpose of securing evidence (l) To arrest any person who in the execution of a search warrant is found in possession of fish bait-fish or fish-bait unlawfully caught or unlawfully held in possession or in possession of an unlawful device for taking fish or bait-fish or fish-bait (m) To secure and execute search warrants and in pursuance thereof to enter any building dwelling house tavern hotel boarding-house enclosure or car and to break open any compartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

If any person be found in possession of a license or button not lawfully issued to him or to a person not entitled hereunder to secure a license any fish warden or other officer may arrest such person for violation of this act and for that or other cause the officer may seize the license and button or either and hold and use the same as evidence in any case of prosecution

If such person be acquitted the license and button shall be returned to him if he shall be convicted the license and button shall be forfeited to the board for revocation

Section 1311 Vehicles Required to Stop on Signal Any operator of any vehicle or conveyance who refuses or fails on demand or signal of any officer in uniform whose duty it is to enforce the fish laws to stop such vehicle or conveyance on the highway or elsewhere or who turns off any lights of same for the purpose of avoiding identification or search or arrest or who refuses to permit said officer who has made known his official identity and purpose to search such vehicle or conveyance and its passengers and contents shall upon conviction as provided in this act be subject to a fine of ten dollars (\$10) and costs for each offense

Section 1312 Duties of Fish Wardens Each fish warden shall keep a record of his official acts receipts and expenditures and shall at the close of each month make a summary of such record with such detailed information as may be necessary for the information of or be required by the board Such summary shall be immediately sent to the board

Section 1313 Special Fish Wardens The Board of Fish Commissioners on written application of a properly organized fish protective association or on the written application of any association or individual owning or leasing waters may appoint one or more special fish wardens for the county in which the application is made The Board of Fish Commissioners may appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their Appointments until the thirty-first day of December next succeeding the date of their appointment and no longer Special Fish Wardens shall have the same powers and shall make the same reports as are conferred on and required from other fish wardens

Article XIV

Sunday Fishing

Section 1401 Sunday Fishing Lawful Exception It is lawful to fish in any of the waters wholly within or on the boundaries of this Commonwealth for any species of fish during the open season therefor with not more than two rods and two lines and one hand line with not more than three hooks attached to either line and to take bait-fish and fish-bait with a dip-net or minnow-seine or a minnow-trap as prescribed by this act and to catch and to take pickerel and yellow perch during the months of December and January when not more than five tip-ups are used while fishing through holes in the ice and to take yellow perch while fishing through holes in the ice by the use of devices permitted under section two hundred forty-one of this act on the first day of the week commonly called Sunday if the consent of the owner or lessee of the land abutting on a stream or body of water and of the bed thereunder where the fishing is done has first been secured but no such consent shall be required to fish in the manner above provided in a stream or body of water on state owned or federal lands nor in a river or body of water the bed of which is publicly owned except where the fishing is done from abutting land privately owned in which case the consent of the owner or lessee shall first have been secured It is unlawful to fish on any Sunday in any other manner than hereinbefore provided or in streams and waters contrary to the provisions of this section Any person violating any of the provisions of this section shall on conviction as provided in article XV of this act be subject to a penalty of twenty-five dollars (\$25)

Article XV

Enforcement of the Act Procedure

Section 1501 Authority of Board The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act The board is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

Section 1502 Powers of Officers to Destroy Unlawful Devices and Make Arrests Any fish warden deputy warden sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and required to proceed with such force as may be necessary to destroy any device for catching fish or aquatic life held in possession or used contrary to or prohibited by law in any of the waters within or on the boundary of or adjacent to this Commonwealth Such officers are hereby

required to arrest with or without warrant any person owning placing having in possession or using such device or violating any provisions of this act

Section 1503 Apprehension and Production before Magistrate Such officers are authorized and required to apprehend and arrest and take any person accused or found in the act of any violation of this act before any alderman magistrate or justice of the peace of the county wherein such act was committed or arrest made who on affidavit charging the said person with an offense under this act shall hear and determine such charge in the manner herein provided Provided however That if a violation of any of the provisions of this act shall be committed within a distance of five hundred yards of a county line it shall be lawful for such officer to take any person arrested or charged with such violation before any alderman magistrate or justice of the peace of either county adjoining said county line who shall hear and determine the guilt or innocence of the person or persons so charged pursuant to the provisions of this act and impose sentence accordingly and upon conviction of defendant and upon default of payment of fine or penalty imposed together with costs shall sentence said defendant to imprisonment in the jail of the county in which said trial is had and thereafter jurisdiction over all further proceedings in such cause shall be taken in the courts of the county in which the summary conviction is held

Section 1504 Payment of Costs in Certain Cases In case any fish warden or any other officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of fine the county in which the case is heard shall pay the costs

Section 1505 Arrests on Sunday and Legal Holidays Any officer whose duty it is to enforce the fish laws of the Commonwealth may arrest on Sunday and legal holidays without warrant any person caught or found in the act of violating any of the laws relating to fish or the provisions of this act or in pursuit immediately following such violations and in such cases the person arrested may be committed by the officer making the arrest to a jail or lockup for safekeeping or the officer making the arrest may forthwith take the accused before any magistrate justice of the peace or alderman on said day who shall be authorized to receive bail for his appearance before him for trial and in default of bail may commit the accused to the jail until the time fixed for hearing of the charge as soon after the arrest as may be had in accordance with this act Such person shall be taken before a proper alderman magistrate or justice of the peace and be proceeded against on the first lawful weekday following the arrest

Section 1506 Penalty upon Officers for Failure to Perform Duties Any sheriff deputy sheriff constable special officer or other peace officer of this Commonwealth refusing or neglecting to proceed with such force of the county to forthwith remove and destroy any existing device illegally used for the catching of fish within its jurisdiction after being notified in writing of the existence of such illegally used device or any such officer neglecting or refusing to remove or destroy any such illegal device for catching fish within this Commonwealth of which he shall be cognizant shall on conviction as provided in this article be sentenced to pay a fine of fifty dollars (\$50)

Section 1507 Interference with Officers Any person who shall by threat menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws from enforcing or carrying into effect any provisions of this act or who shall resist the seizure of boats devices or nets illegally used shall on conviction thereof as provided in this article be sentenced to pay a fine of one hundred dollars (\$100)

Section 1508 Prima Facie Evidence In all cases of arrest and prosecution for the violation of any of the provisions of this act the possession of the fishes or of the nets or

appliances or the possession of or operation of any other device herein prohibited shall be prima facie evidence of the violation of this act The possession by any person while in or any stream lake pond or other waters inhabited by fish or in the immediate vicinity thereof of any device made illegal by this act for taking fish shall also constitute a violation of this act and subject the offenders to a penalty of twenty dollars (\$20) and costs Exception The provisions of this section shall not apply to a person having or using such device for taking fish or fish-bait artificially propagated under the authority of this act

Section 1509 Complaint Warrant Hearing Any alderman magistrate or justice of the peace upon information or complaint made to him by affidavit of one or more persons charging any person with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the commissioner or the board pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and shall cause such person to be arrested and brought before such alderman magistrate or justice of the peace who shall hear and determine the guilt or innocence of the person or persons so charged

Section 1510 Witnesses Not Excused From Testifying No person shall be excused from testifying or producing any books papers or other documents in any civil or criminal action or proceeding taken or had under this act upon the ground that his testimony might tend to convict him of a crime or to subject him to a penalty or forfeiture for or on account of any act transaction matter or thing concerning which he shall under oath have testified or produced documentary evidence and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding Provided That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony Nothing herein contained is intended to give or shall be construed as in any manner giving unto any corporation immunity of any kind

Section 1511 Sentence Bail Appeal If convicted such person shall be sentenced to pay the fine provided in this act for such violation together with the costs of suit The person so convicted shall on failure to pay such fine and costs be sentenced by such alderman magistrate or justice of the peace to undergo imprisonment in the county jail of the county in which such conviction takes place for a period of one day for each dollar of fine and costs so imposed unless specifically otherwise provided by this act or unless the person so convicted shall give notice of an intention to procure a writ of certiorari or appeal in which case such person shall be permitted to enter into good and sufficient recognizance with surety or bail to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal or certiorari is not taken by them or on the final determination of the same if it be not sustained for execution of sentence Any person sentenced to imprisonment in default of payment of fine and costs may during the period of his sentence pay the said fine and costs and be released from jail in which case he shall be entitled to a credit as against the amount of the fine and costs of one dollar for each day he has suffered imprisonment and may be released on payment of the balance thereof

Section 1512 Acknowledgment of Guilt Receipts A person charged with violating any provisions of this act other than a misdemeanor triable only in court may sign an acknowledgment of the offense committed either before or after the beginning of prosecution and pay to any salaried officer of the board the penalty in full as fixed by this act together with costs incurred to that date The printed receipt therefor which shall in every instance bear the signature of the commissioner shall be full evidence of full satisfaction of the offense committed

The penalty so collected shall be within ten days forwarded to the commissioner at Harrisburg by the officer receiving the same

Section 1513 Sale and Destruction of Confiscated Devices All boats and legal devices used unlawfully and forfeited to the board under any of the provisions of this act shall be sold by order of the commissioner or destroyed by his order All unlawful nets or devices not preserved for exhibition purposes by the board shall be destroyed by the commissioner or by his order Records shall be made of all such sales or destruction on the books of the board

Section 1514 Limitation for Prosecutions All actions for violations of any provisions of this act shall be commenced by information made and sworn to before a magistrate alderman or justice of the peace within two years from the time the offense is committed but may be tried thereafter and where necessary to properly conduct any case before any alderman magistrate or justice of the peace or any court the Commissioner of Fisheries is authorized to employ legal counsel and pay for such services out of the fish fund

Section 1515 Fines to be Forwarded to Commissioner All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such fines and penalties to the commissioner Where any officer of the Commonwealth other than a salaried officer or other person is the prosecutor the fines and penalties shall as soon as the case is fully determined by any magistrate alderman or justice of the peace be forwarded by such magistrate alderman or justice of the peace to the commissioner at Harrisburg together with a statement of the cause for which such fines where collected the cost of which statement is hereby fixed at fifty cents (50c) and made a part of the costs of prosecution All fines received by the commissioner shall be paid into the State Treasury monthly by and through the Department of Revenue for the use of the fish fund

Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate alderman or justice of the peace imposing or receiving the same to the commissioner upon forms furnished by the Department of Revenue such reports shall be made monthly not later than the tenth day of the following month

Any magistrate alderman or justice of the peace who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 1516 Return of Fine Erroneously Paid Whenever the board is satisfied that any fine paid into the State Treasury under the provisions of this act was erroneously collected and deposited the board within six months after such deposit may by resolution direct the commissioner to draw a requisition upon the fund into which such fine was deposited for the amount involved Upon the receipt of such requisition and an extract of the minutes of the board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Section 1517 Penalties General Any person who violates any provisions or fails to perform any duty imposed by this act or any lawful rule or regulation of the board unless another penalty is specifically provided herein on conviction is liable to a fine of twenty dollars (\$20) and costs of prosecution and to an additional penalty of five dollars for each fish or part thereof held or taken in such violation

Section 1518 Parole If the record of a person convicted of a violation of this act shall in the judgment of the

court in which a conviction is had so justify the court may order him to be released on probation under the care of the probation officer of the county on condition that such person pay the fine and costs to the probation officer in weekly instalments of such sum as the court may determine Failure of such convicted person to comply therewith shall subject him to arrest on capias to be issued by the court and to imprisonment for one day for each dollar of the fine and costs unpaid at the time of issuance of the capias The parole officer receiving such payments shall pay over the same first to satisfy the costs and second to the proper officer of the board Should such paroled person fail to pay the fine and costs or sufficient to pay the costs but shall serve the period of imprisonment imposed the county shall pay all the costs of prosecution No parole shall be granted by the court except under the provisions of this section

Section 1519 Saving Clause Nothing contained in this act shall be construed as amending or repealing any provisions of criminal procedure or of the penal laws of this Commonwealth nor be construed to relieve or exempt any person accused and prosecuted hereunder from any liability penalty or prosecution under any other law of this Commonwealth

Article XVI

General Powers and Duties of the Board and Commissioner Fish Fund Land

Section 1601 Appointment and Powers of the Board Whereas under and by virtue of the provisions of other Acts of Assembly of this Commonwealth certain powers and authority are conferred upon the board and the Commissioner of Fisheries in addition thereto the board and the board and the commissioner shall have and are authorized to exercise such additional powers and authority as are conferred upon them by the provisions of this act

The Board of Fish Commissioners shall have the power and its duties shall be

(a) To administer and enforce the laws of this Commonwealth relating to the management promotion and development of the fishing interests and the protection propagation and distribution of fish

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection propagation and distribution of fish and for angling catching or removal of fish in and from any waters artificial or otherwise wholly within this Commonwealth or in waters lying between this Commonwealth and any other state or in the waters of such part of any lake of more than five thousand acres lying between this Commonwealth and any other state or foreign country as is within the jurisdiction of this Commonwealth

(c) To obtain and transmit to the Department of Property and Supplies for publication information respecting the laws relating to the protection of fish and the extent and conditions of the fisheries of the Commonwealth

(d) The board is further authorized to exercise and perform such other powers and duties imposed or conferred upon it and to enforce all the provisions of this act

Section 1602 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (1) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart for the various purposes designated by law or (2) that may be hereafter paid received received and collected under the provisions of any act repealed and replaced by this act or (3) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and nonresident fishing licenses and license buttons and under the direction of the board for the following additional purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and by its order and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners and also for printing a summary of the fish laws from time to time biennial reports notices advertisements bulletins and the distribution thereof the cost of printing publication and distribution of the "Pennsylvania Angler" Distribution to be made in accordance with the law governing distribution and sale of public documents The net proceeds of sales of the "Pennsylvania Angler" are to be deposited in the Fish Fund

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been constructed for by the department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the Capitol buildings or any other grounds buildings or quarters necessary for the work of the board and rentals for land leased by the board for any purpose

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries fish farms or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and a boat on Lake Wallenpaupak and the cruiser "Anna" at Torresdale on the Delaware River

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board and

(l) The purchase and acquisition of additional land and water for State fish hatcheries fish farms the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish in hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth The board is authorized on obtaining the consent of the owners of land on or along which a stream runs to improve the stream for the purpose of increasing the fish life therein and may erect dams and retards thereon when deemed by the board necessary The board is authorized to pay the cost and expenses incurred out of the fish fund

(m) For the refund to county treasurers or other is-

suing agents of fishing license fees heretofore or hereafter erroneously paid into the fish fund

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasury for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

Section 1603 Acquisition of Lands

(a) The board may acquire title to or control of lands or buildings or waters within the Commonwealth or the fishing rights or rights-of-way management of fish life or for public fishing or administrative purposes or to be used as hereinafter provided by purchase gift lease or otherwise

(b) The board may also purchase tax delinquent lands from the commissioners of the respective counties or from the county treasurers of the respective counties as provided by law

(c) The board may exchange timber which should be cut from lands for which title has been acquired for suitable lands having an equal or greater value than the estimated value thereof Provided That when the estimated value of or the value placed upon such timber in any such agreement for exchange exceeds three hundred dollars (\$300) the proposed exchange shall be advertised at least once a week for three consecutive weeks in two newspapers of general circulation if so many be published in the county where the said timber may be situated

(d) Lands for which titles are acquired may be used for and designated State Fish Hatcheries or State Fish Farms or State Fish propagation Areas or Public Fishing Grounds depending upon the purpose for which they are to be used Other lands for which the board secures control or partial control may be given such designation as the board may decide

(e) All acquisitions of lands shall be made only with the consent of the Governor and a majority of the board without submission to or approval by the Department of Property and Supplies The commissioners shall represent the board and the Commonwealth in the execution of land purchase contracts and in the execution of leases and other similar agreements approved by the board and may sign and acknowledge any document relating to the acquisition sale lease or exchange of such lands rights therein or thereto or waters thereof or timber and minerals thereon

(f) The board may lease or otherwise secure rights-of-way on and across either publicly-owned or privately-owned lands or water or other rights which may be required to conduct its proper functions

Section 1604 Title and Control The title to any lands to be acquired by purchase gift exchange lease or otherwise shall be taken in the name of the Commonwealth for use of the Board of Fish Commissioners

The title records for such lands shall first be carefully searched and examined by the board through its employes

agents and when satisfied a valid title can be secured a brief of the title shall be submitted to the Attorney General or a Deputy Attorney General whom he may designate for such review as he may deem necessary and if he considers said title valid he shall approve it and so certify the board.

The deed to any such lands shall be deposited with the Secretary of Internal Affairs.

The entire control of all such lands shall be under the direction of the board.

Section 1605 Ownership of Aquatic Life The ownership jurisdiction over and control of the fishes fish life and other aquatic life in or deposited in the inland waters of the Commonwealth of Pennsylvania and in the boundary waters thereof a concurrent jurisdiction and control are hereby declared to be in the Commonwealth of Pennsylvania in its sovereign capacity to be controlled managed regulated taken killed and disposed of under the provisions of this act or amendments thereto hereafter enacted excepting birds and animals of aquatic habits or amphibious nature jurisdiction over which is vested in the Commonwealth and under the exclusive control of the Game Commission of the Commonwealth and excepting also such aquatic birds as are exclusively subject to the provisions of international treaty.

Section 1606 Purchase Price For land to be used as State Fish Hatcheries State Fish Farms State Fish Propagation Areas or Public Fishing Grounds the board may pay what it considers a fair and reasonable price.

Buildings for administration management or other purposes with or without land may be purchased or constructed and land may be purchased upon which to construct such buildings at prices which the board considers fair and reasonable consistent with the purpose for which intended. Provided That the contract for and the construction of any such building shall be in accordance with the provisions of existing law governing the erection of buildings for other departments of the State Government and administrative boards and commissions.

The board may expend out of the fish fund for lands buildings or other improvements or for leases during any year such amount as in its opinion can be allotted for such purposes.

Section 1607 Exchange or Sale

(a) The board may by resolution adopted by unanimous vote at a meeting when at least a majority of the members are present and voting authorize the exchange or sale of any lands for which title has been acquired or part thereof or buildings or other improvements and appurtenances thereto for privately-owned lands or buildings having an equal or greater value and suitable purposes when the board deems such exchange or sale for the best interests of the Commonwealth.

The necessary deeds or records to consummate such sale or exchange shall be subject to approval of the Attorney General or a Deputy Attorney General whom he may designate and shall be executed by the commissioner for the Commonwealth. The proceeds of any such sale shall be deposited in the Fish Fund.

(b) Lands or buildings to which title has been taken in the name of the Commonwealth for use of the board by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply and are imposed upon State forests.

(c) Lands for which title has been acquired for use of the board or which have been leased or any part thereof may be used and improved for the purpose of creating and maintaining State Fish Hatcheries State Fish Farms State Fish Propagation Areas and Public Fishing Grounds for the propagation of fish or for fish propagation experiments or for special preserves as hereinafter provided and as much thereof as deemed necessary may be used for the administration development and management of fish lands and the board may permit its employees or agents to reside thereon.

(d) The board may cut or cut and remove and sell or

otherwise dispose of or permit the cutting removing and selling of timber on lands for which title has been acquired and may plant trees thereon.

(e) The board may grant rights-of-way or licenses for rights-of-way for roads pipe lanes electric lines telephone lines and telegraph lines on and across lands for which title has been acquired for its use when such grants will not in the opinion of the board adversely affect fish protection and propagation and shall charge for such licenses such remuneration and damages as the board deems the conditions and circumstances warrant.

(f) The board may grant water rights or rights to maintain airway beacon lights or forest fire observation towers on lands acquired for its use when such grants will not adversely affect fish protection and propagation and may charge for such licenses such rental and damages as the board deems the condition and circumstances warrant.

(g) No camp site lease may be issued to any person nor shall overnight camping be permitted on State fish lands except that such rights may be granted to officers employees or agents of the board or the Pennsylvania Game Commission or the Department of Forests and Waters or the United States Forest Service or any other governmental agency when necessary for the performance of official duties incident to wildlife or forest preservation.

(h) All net proceeds from the sale of timber or for licenses or other rights granted by the board shall be deposited in the Fish Fund.

(i) The board may purchase erect or otherwise acquire or secure the use of and repair and maintain and procure insurance for such buildings or other improvements acquired for its use or under its control as may be deemed necessary for their proper utilization maintenance protection development administration propagation of fish experimental activities or any other purpose incident to the board's functions and pay the costs expenses and purchase price thereof out of the Fish Fund.

(j) The board is empowered to adopt prescribe and enforce rules and regulations for the use protection and management of all property real and personal under its control and to prevent trespasses on such property and to institute prosecute and defend actions at law or in equity and ejectment and trespass and employ legal counsel therefor concerning the lands and property under its control and pay out of the Fish Fund the costs and expenses necessary for such purposes.

Article XVII

Repeal and Effective Date

Section 1701 Repeal The act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" and its amendments is hereby repealed.

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 1702 Effective Date The provisions of this act shall become effective on the first Monday of January one thousand nine hundred forty-eight.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,

Frost,
Gallagher,
Getchey,
Gibson,
Goff,

McCosker,
McCullough,
McDonald,
McKinney,
McMillen,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,

Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buccin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Wekner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1324, Printer's No. 769 and

House Bill No. 1325, Printer's No. 770

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1337, as follows:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association

located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts to be repealed imposing additional taxes equal to Federal credits" further providing for determination of estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon the same not paid when due and providing for crediting any tax paid on account of the Pennsylvania Estate Tax to an additional transfer inheritance tax assessed against the estate.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and three of the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts to be repealed imposing additional taxes equal to Federal credits as last amended by the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 859) are hereby further amended to read as follows

Section 1 Be it enacted etc That in order that the Commonwealth may receive the full benefit of section three hundred and one (b) of the Federal Revenue Act of one thousand nine hundred and twenty-six or any other legislation of a similar kind or enacted for a like purpose which grants a credit on the Federal estate tax for estate succession and transfer inheritance taxes paid to the State government an estate tax to be known as the Pennsylvania Estate Tax is hereby imposed upon the estate of every person who at the time of his death is a resident of the Commonwealth and one every estate the situs of which is in Pennsylvania of any person who at the time of his death is a resident of a foreign country provided such estate is in the class of estates which under the laws of the United States is subject to a Federal estate tax Such estate shall be in addition to any tax imposed as a result of the death of such [resident] person under the provisions of the transfer inheritance tax law of this Commonwealth approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) to which this act is a supplement The said Pennsylvania Estate Tax upon the estate of every decedent as aforesaid shall be computed as follows The aggregate transfer inheritance taxes due under the act to which this act is a supplement shall first be determined Provided That the amount of such aggregate taxes due shall be reduced by the amount of any discount allowed under the act to which this is a supplement If such amount there shall be added the amount of any estate inheritance legacy or succession taxes actually paid to any other State or territory or the District of Columbia or in possession of the United States in respect to any property owned by such decedent subject to such taxes as a payment or in connection with his estate The sum resulting from such addition shall then be deducted from an amount equal to the amount of the maximum credit allowable to the estate of the decedent by the Federal Estate Tax Law of the laws for estate inheritance legacy or succession taxes paid to any State or territory or the District of Columbia or in possession of the United States The remainder if any shall constitute and be the Pennsylvania Estate Tax to be collected on the estate of the decedent The tax imposed by this act shall be collected in accordance with the provisions of the act to which this act is a supplement

Every executor administrator or person in actual or constructive possession of the property of an estate subject to the tax imposed by this act shall within thirty days after the filing of his her or its return with the Federal Government for Federal estate tax purposes file a copy of such Federal return with the register of wills of the proper county and shall within thirty days after the receipt by him her or it of any communication from the Federal Government making any final change in the said return or confirming increasing or diminishing the tax thereby shown to be due file a copy of such communication with the register of wills of the proper county The Commonwealth shall have authority in any estate taxable under this act to act to make a provisional estimate for the payment of taxes to the Commonwealth on account and to make an appraisal of the taxes due by any estate under this act when the amount of the Federal tax has been finally determined

Section 3 Any tax imposed under the provisions of this act shall become due and payable at the expiration of eighteen months from the date of death of the decedent If the tax is not paid when due interest at the rate of six percentum per annum shall be charged and collected from the time the same became payable except that if the basic Federal estate tax has been or is increased by the Collector of Internal Revenue or by any other agency or court of the United States and if as a result the Pennsylvania Estate Tax imposed by section one hereof is increased interest shall be computed on the additional tax from thirty days after the proper parties have received final notice of the increase in the Federal Estate Tax until paid Where real or personal estate withheld by reason of litigation or other unavoidable cause of delay from the parties entitled thereto subject to such additional estate tax has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid Provided That proof hereof is furnished the Department of Revenue and is satisfactory to the department

Section 2 Said act is hereby amended by adding at the end thereof a new section to read as follows

Section 4 If after the payment of the Pennsylvania Estate Tax imposed by the act to which this is an amendment here shall be assessed an additional transfer inheritance tax not taken into account in determining the amount of the Pennsylvania Estate Tax previously determined and paid so much of the Pennsylvania Estate Tax as had been previously determined and paid as may be necessary shall be credited against any such additional transfer inheritance tax so assessed

The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Baumunk,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Bolles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Borse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisach,	Hall,	Moore, H. A.,	Stank,

Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Nelson,	Thomassy,
Chervenak,	Hoopes,	Neff,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Jones,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pickens,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Watkins,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Vest,
Efenberg,	Lee,	Reilly, J. M.,	Wescott,
Elder,	Leisey,	Reilly, W. J.,	Wieleer,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Lager,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1339, as follows:

An Act making an appropriation to the Department of Property and Supplies to purchase repair restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland Delaware County Pennsylvania as an historic shrine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval and assistance of the Pennsylvania Historical and Museum Commission shall arrange for the acquisition by gift purchase or eminent domain in the name of the Commonwealth of the historic Caleb Pusey House built and occupied by Caleb Pusey close friend and business associate of William Penn member of the Supreme Court and General Assembly of the Province of Pennsylvania and the grounds surrounding the same in the borough of Upland Delaware County Pennsylvania and shall arrange for the repair restoration and maintenance thereof The department with the approval of the Pennsylvania Historical and Museum Commission shall have power to enter into any and all contracts with Federal county and municipal bodies and agencies and individuals deemed necessary to carry into effect the provisions of this act The amount of land purchased and acquired under the provisions of this act shall be in the discretion of the department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission

Section 2 The sum of ten thousand dollars (\$10,000) or

as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the purpose of carrying out the provisions of this act

Section 3 The sum of four thousand dollars (\$4000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the management supervision repair and maintenance of the properties acquired after the restoration thereof under the provisions of this act during the biennium beginning June first one thousand nine hundred and forty-seven

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudensfield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buechin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kratz,	Reagan,	Weidner,
Dlx,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Fein,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwaller,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layr, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1342, as follows:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest of the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Legislative Department by the act to which this is a supplement are hereby specifically appropriated as follows

Legislative Department

To the Senate

For the payment of the deficiency in the appropriation for the payment of the mileage of fifty senators session one thousand nine hundred and forty-seven the sum of two thousand dollars (\$2000)

For the payment of the deficiency in the appropriation for the payment of the salaries of the officers and employees of the Senate session of one thousand nine hundred and forty-seven also for the payment of the session and recess salaries of all officers and employees whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employees of the Senate whose present salaries are provided for in this section the sum of thirty-one thousand dollars (\$31,000) for the two years beginning June first one thousand nine hundred and forty-five

For the payment of the deficiency in the appropriation for the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty-six and the entire period of the session of one thousand nine hundred and forty-seven should the same extend beyond May thirty-first the sum of one thousand dollars (\$1000)

To the House of Representatives

For the payment of the deficiency in the appropriation for the payment of the mileage of two hundred and eighty members of the House of Representatives session of one thousand nine hundred and forty-seven the sum of seven thousand dollars (\$7000)

For the payment of the deficiency in the appropriation for the payment of salaries of the officers and employees of the House of Representatives session of one thousand nine hundred and forty-seven also for the payment of session and recess salaries of all officers and employees whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employees of the House of Representatives whose present salaries are provided for in this section the sum of forty-one thousand dollars (\$41,000) for the two years beginning June first one thousand nine hundred and forty-five

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler compiler and bill drafter compiler bill reading clerk search clerk messenger and file clerk reference clerk reference librarian stenographers charwomen regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred forty-five and for the session of the General Assembly of one thousand nine hundred forty-seven and for maintenance law books incidental expenses traveling expenses and emergency clerical help and emergency assistants if needed for two years for the Legislative Reference Bureau the sum of two thousand five hundred dollars (\$2500)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Armonson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Arne,	Getchey,	McDonald,	Schuster,
Arrett,	Gibson,	McKinney,	Scott,
Arumunk,	Goff,	McMillen,	Serrill,
Arch,	Goodling,	Mihm,	Shoemaker,
Arnder,	Gorman,	Mikula,	Simons,
Arntzel,	Graybill,	Miller,	Smith, C. C.,
Arum,	Greenwood,	Mills,	Smith, C. M.,
Arles,	Greer,	Mintess,	Snider,
Arnowitz,	Griffiths,	Mohr,	Sollenberger,
Arorse,	Guthrie,	Mooney,	Sorg,
Arower,	Gyger,	Moore, C. E.,	Sproul,
Artsch,	Hall,	Moore, H. A.,	Stank,
Arice,	Haller,	Morrison,	Stimmel,
Arrown,	Haudenschild,	Murray,	Stockham,
Arunner,	Helm,	Myers,	Stonier,
Arachin,	Henry,	Najaka,	Stuart,
Aradwader,	Hewitt,	Naumann,	Swope,
Arpano,	Hocker,	Needham,	Tahl,
Arssidy,	Hoffman,	Neff,	Thomassy,
Arervenak,	Hoopes,	Nelson,	Thompson,
Arudoff,	Horan,	O'Connor,	Tittle,
Arlevenger,	Imbt,	O'Dare,	Tompkins,
Archran,	Jennings,	O'Donnell,	Toomey,
Arble,	Johnson,	O'Neill,	Turner,
Arbok,	Johnston,	Orban,	Upshur,
Aroper,	Jones,	Patten,	Vaughan,
Arordler,	Jump,	Petrosky,	Verona,
Arasta,	Kean,	Pichney,	Wachhaus,
Arrowley,	Kelley,	Pickens,	Wagner,
Arague,	Kemp,	Polaski,	Waldron,
Arlymple,	Kent,	Powers,	Wallin,
Aravison,	Kirley,	Price,	Walton,
ArLong,	Kline,	Propert,	Waterhouse,
Armech,	Kohl,	Ragot,	Watkins,
Arnnison,	Kratz,	Readinger,	Watson,
Arpuy,	Krise,	Reagan,	Weidner,
Arix,	Kurtz,	Reese, D. P.,	Weiss,
Arye,	Laughner,	Reese, R. E.,	Wescott,
Artenberg,	Lee,	Reilly, J. M.,	West,
Arider,	Leisey,	Reilly, V. J.,	Wheeler,
Arb,	Livingston,	Richter,	Wolf,
Arans,	Livingstone,	Riley,	Wood,
Arwing,	Loftus,	Robbins,	Worley,
Arcola,	Lovett,	Robertson,	Yeakel,
Arish,	Lyons,	Root,	Yester,
Ariss,	Madden,	Rose,	Yetzer,
Arack,	Madigan,	Rowen,	Young,
Arleming,	Mazza,	Royer,	Lichtenwalter,
Aror,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Arayer, Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 26, as follows:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended. "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule [sixty] seventy-five dollars for each head of unregistered cattle one hundred twenty-five dollars for each head of registered cattle [ten] fifteen dollars for each head of unregistered swine sheep or goats [twenty] twenty-five dollars for each head of registered twine sheep or goats [three] five dollars for each fullgrown goose [three] five dollars for each full-grown turkey or wild-turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual

value of the live stock including poultry or domestic game birds killed or injured

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 234, Printer's No. 389 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 274, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain tract of land and a certain right of way in the Township of Upper Saint Clair County of Allegheny Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following described tract of land and the following described right of way situate in Upper Saint Clair Township Allegheny County Pennsylvania

Tract 1 All that certain tract of land situate in the Township of Upper Saint Clair County of Allegheny and Commonwealth of Pennsylvania more particularly described as follows to-wit

Beginning at an iron pin which said iron pin is North seventy-eight degrees West (N 78° W) eleven hundred twenty-five (1125) feet more or less from a point in the center line of a certain unimproved public road connecting State Highway Route 02054 with State Highway Route 02046 and is also on or near the line common to property now or formerly of William Walker and property now or formerly of Alexander Gilfillan thence from said iron pin South twelve degrees no minutes West (S 12° 00' W) two hundred feet (200) to a point thence South forty-four degrees no minutes West (S 44° 00' W) one hundred eighty (180) feet to a point thence North eighty-seven degree twenty-six minutes West (87° 26' W) forty (40) feet to a point thence North two degrees thirty-four minutes East (N 2° 34' E) eight hundred thirty-nine (839) feet to a point thence South eighty-seven degrees twenty-six minutes East (S 87° 26' E) one hundred (100) feet to a point thence South seven degrees fifty-three minutes East (S 7° 53' E) five hundred eighteen and two tenths (518.2) feet to the iron pin at the place of beginning Containing 2.868 acres more or less

Excepting and reserving however thereout and therefrom the coal and mining rights as shown by prior deeds of record

Tract 2 All that certain right of way twenty-five (25) feet in width at grade leading from said unimproved public road aforementioned to the tract of land above described the center line of which is as follows

Beginning at a point in or near the center line of the aforementioned unimproved public road which point is northwesterly three hundred fifty (350) feet more or less from a point at or near the intersection of the center line of said unimproved public road aforementioned and a line common to property of William Walker containing 43.93 acres and of Alexander Gilfillan containing 20 acres thence South eight-three degrees nineteen minutes West (S 83° 19' W) seven hundred sixty-five (765) feet to a point thence North seventy degrees forty-one minutes West (N 70° 41' W) four hundred sixty-six (466) feet to a point thence by the arc of a curve to the right having a radius of seventy-five (75) feet composed of five (5) chords each twenty (20) feet in length for a distance of one hundred (100) feet to a point thence North two degrees thirty-four minutes East (N 2° 34' E) twenty-one (21) feet to a point on line third mentioned in the tract above described with the right to construct and maintain a roadway thereon for the use of the Grantee its servants agents and employees in traveling to and

on the aforesaid public road to the tract herein conveyed
 he deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania
 Section 2 This act shall become effective immediately upon final enactment

and said bill having been read at length the third time, considered and agreed to.

on the question,

shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Conson,	Frost,	McCosker,	Sax,
Drews,	Fullerton,	McCullough,	Scanlon,
Eie,	Getchey,	McDonald,	Schuster,
Frett,	Gibson,	McKinney,	Scott,
Imunk,	Goff,	McMillen,	Serrill,
Jech,	Goodling,	Mihm,	Shoemaker,
Jider,	Gorman,	Mikula,	Simons,
Jitzel,	Graybill,	Miller,	Smith, C. C.,
Jom,	Greenwood,	Mills,	Smith, C. M.,
Jes,	Greer,	Mintess,	Snider,
Jawitz,	Griffiths,	Mohr,	Sollenberger,
Jrse,	Guthrie,	Mooney,	Sorg,
Jwer,	Gyger,	Moore, C. E.,	Sproul,
Jisch,	Hall,	Moore, H. A.,	Stank,
Jce,	Haller,	Morrison,	Stimmel,
Jown,	Haudensfield,	Murray,	Stockham,
Jinner,	Helm,	Myers,	Stonier,
Jochin,	Henry,	Najaka,	Stuart,
Jwalader,	Hewitt,	Naumann,	Swope,
Jpano,	Hocker,	Needham,	Tahl,
Jssidy,	Hoffman,	Neff,	Thomassy,
Jervenak,	Hoopes,	Nelson,	Thompson,
Judoff,	Horan,	O'Connor,	Tittle,
Jvenger,	Imbt,	O'Dare,	Tompkins,
Jhran,	Jennings,	O'Donnell,	Toomey,
Jle,	Johnson,	O'Neill,	Turner,
Jok,	Johnston,	Orban,	Upshur,
Joper,	Jones,	Patten,	Vaughan,
Jrdler,	Jump,	Pettigrew,	Verona,
Jsta,	Kean,	Pichney,	Wachhaus,
Jowley,	Kelley,	Pickens,	Wagner,
Jgue,	Kemp,	Polaski,	Waldron,
Jrymple,	Kent,	Powers,	Wallin,
Jvison,	Kratz,	Price,	Walton,
Jlong,	Kirley,	Propert,	Waterhouse,
Jmech,	Kilne,	Ragot,	Watkins,
Jnison,	Kohl,	Readinger,	Watson,
Jpuy,	Krise,	Reagan,	Weidner,
Jx,	Kurtz,	Reese, D. P.,	Weiss,
Je,	Laughner,	Reese, R. E.,	Wescott,
Jenberg,	Lee,	Reilly, J. M.,	West,
Jier,	Lelsey,	Reilly, W. J.,	Wheeler,
Jb,	Livingston,	Richter,	Wolf,
Jans,	Livingstone,	Riley,	Wood,
Jing,	Loftus,	Robbins,	Worley,
Jola,	Lovett,	Robertson,	Yeakei,
Jsh,	Lyons,	Root,	Yester,
Js,	Madden,	Rose,	Yetzer,
Jack,	Madigan,	Rowen,	Young,
Jeming,	Mazza,	Royer,	Lichtenwalter,
Jor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Jyer, Trout.

The majority required by the Constitution having voted the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 382, as follows:

An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commission shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

In the Department of Military Affairs State Military Reservation Commission State Veterans' Commission

In the Department of Forests and Water State Forest Commission Bushy Run Battlefield Commission Flood Control Commission

In the Department of Health Advisory Health Board

In the Department of Labor and Industry Industrial Board

In the Department of Welfare State Welfare Commission

In the Department of Property and Supplies General Galusha Pennypacker Monument Commission

Section 2 Section four hundred forty-eight of the said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding thereto a new subsection (d) to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(d) Flood Control Commission The Flood Control Commission Shall consist of the Secretary of Forests and Waters ex officio who shall be chairman and twelve members who shall hold office at the pleasure of the appointing power and who shall be appointed four by the President Pro Tempore from members of the Senate four by the Speaker from members of the House of Representatives and four by the Governor from among citizens of the Commonwealth

Seven members shall constitute a quorum

The members of the Commission shall receive no compensation for their services but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties They may appoint a secretary and such other officers and employees as may be necessary who shall be paid such salaries as the Commission may fix but who shall not be members of the Commission

The Commission shall meet at such times and places as it shall determine

Section 3 The said act as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended by adding a new section one thousand eight hundred ten as follows

Section 1810 Flood Control Commission The Flood Control Commission shall have the power and it shall be its duty

(a) To make or cause to be made studies surveys and examinations of local state or national flood conditions causes and effects and prepare or cause to be prepared designs plans and recommendations for bringing flood conditions under adequate and reasonable control and for saving life and property from damage by flood

(b) The Commission in the performance of its duties may request and shall receive from any State or local agency department board bureau commission or political subdivision which has for one of its objects the control of flood waters such assistance and data as requisite for carrying out the purposes of this law and the Commission is hereby authorized to such end to cooperate in the activities of and with such state or local agencies departments boards bureaus commissions and political subdivisions and to cooperate with the Federal government or any appropriate agency thereof in planning or accomplishing an overall long or short term flood control either national local or sectional and to cooperate with the Congress of the United States in the preparation or presentation of legislation tending to effectuate flood control

(c) The Commission shall from time to time submit to the Department and to the Water and Power Resources Board such recommendations concerning flood control as its investigations examinations and studies indicate to be requisite for the public welfare The Department and the Water and Power Resources Board shall from time to time refer to the Commission for study examination and investigation pertinent problems of flood control and request and receive thereon the report and recommendations of the Commission

(d) The Commission shall in one thousand nine hundred forty-nine and biennially thereafter report to the General Assembly and shall make such interim reports to the Governor as it deems desirable

(e) The Commission shall make all rules and regulations necessary for its purposes and shall possess the power to subpoena witnesses records and papers and upon

certification to it of failure to obey any such subpoena the Dauhlin County Court is empowered after hearing to enter when proper an adjudication of contempt and such other order as the circumstances require

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, this bill creates a flood control commission that is to make surveys and recommendations as to flood control. There is pending somewhere a measure making specific appropriations for impounding dams. I think that appropriation runs into considerable money. Now, is it proposed to wait until these surveys are made before the money appropriated in the bill for impounding dams is spent, or before the program starts, or will the money for impounding dams be spent before the surveys are completed?

Mr. SORG. It is my understanding Mr. Speaker, that the surveys to be made here will be the subject matter upon which the appropriation will be spent, and that thereafter the expenditure of the funds will await the completion of the surveys.

Mr. ANDREWS. Mr. Speaker, is there any possibility or probability that any considerable amount of the appropriation for impounding dams will be spent within the next biennium?

Mr. SORG. I would say very definitely, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, would the Majority Leader give us any indication as to whether the administration proposes to spend one million dollars, five million dollars or twelve million dollars during the next biennium?

Mr. SORG. Mr. Speaker, I cannot give the gentleman an accurate estimate as to the exact amount. It does occur to me, however, that particularly in the northern tier, where many, many floods have occurred in the past several years, the expenditure of the sum of ten million dollars certainly would not seem too much within one biennium.

Mr. ANDREWS. Mr. Speaker, I was not questioning the amount. I think the project is very desirable. What I wanted was some assurance that the amount will be spent during the next biennium.

Mr. SORG. That is the intention, Mr. Speaker.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,

Frost
Gallagher,
Getchey,
Gibson,
Goff,

McCosker,
McCullough,
McDonald,
McKinney,
McMillen,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,

Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikulka,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 393, Printer's No. 440 and

Senate Bill No. 394, Printer's No. 387

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 436, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of the battle flags of World War I and World War II and other relics of Pennsylvania's participation in the several wars

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikulka,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Royen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 439, as follows:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined

as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distribution to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as added by the act approved the eighteenth day of May one thousand nine hundred and forty-five (P. L. 803) is hereby amended to read as follows

Section 10 Disposition and Use of Tax * * * * *

(b) The county commissioners may allocate and apportion moneys from the county liquid fuels tax fund to the political subdivisions within the county in the ratio as provided in this subsection Provided however That when the unencumbered balance in the county liquid fuels tax fund is greater than the receipts for the twelve months immediately preceding the date of either of said reports the county commissioners shall notify the said political subdivisions to make application within ninety (90) days for participation in the redistribution of the said unencumbered balance and distribute the said unencumbered balance to the said political subdivisions making application therefor in the following manner: fifty per cent (50%) of said moneys shall be allocated and apportioned among the political subdivisions within the county in the ratio which the total mileage of all roads and streets maintained by the several political subdivisions making application bears to the total mileage of all such roads and streets maintained by such political [subdivision] subdivisions in the county as of January first of the year in which an allocation is made and Provided further That the remaining fifty per cent (50%) of said moneys shall be allocated and apportioned among the same subdivisions on a population basis in the ratio which the population in each such subdivision of the county making application bears to the total population of [the whole county] such political subdivisions Provided further That in the case of an emergency and upon approval of the Department of Highways the county commissioners may enter into contracts and obligations for the expenditure of the estimated liquid fuels tax receipts for a period not exceeding two years and receive a credit for such expenditures against such subsequent receipts And provided further That except in the case of an emergency as heretofore authorized no county shall carry over any credit balance against future fuel tax receipts from year to year and any credit balance now carried on the reports or in the records of the county commissioners the department or the Department of the Auditor

General are hereby specifically invalidated and declared null and void

* * * * *

Section 2 This act shall become effective on the thirtieth day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Green,	Min'ess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudensfield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najara,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lea,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer.

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 492, as follows:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" is hereby amended to read as follows

Section 2 (a) Any such corporation heretofore or hereafter created by incorporation reorganization or consolidation having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue in whole or in part capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value with such designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers as may be specified as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of such corporation Provided however That in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of this act Such proceedings may as an incident to such change or conversion increase or decrease the capital stock which such corporation is authorized to issue or the aggregate par value of or stated capital applicable to its outstanding shares of stock may alter or adjust the division of its authorized capital stock as between outstanding stock and authorized stock unissued or make any similar

adjustment of the capital structure or share structure of such corporation Provided that no such change or alteration in the value of the aggregate par value of the outstanding stock shall be valid in law unless notices to all persons interested shall be given as now required by law where it is proposed to increase or reduce the capital stock of any corporation

(b) As to shares authorized by such stock vote but unissued unless the charter or by-laws otherwise provide the board of directors shall have the power by resolution duly adopted to issue from time to time in whole or in part the kinds or classes of shares so authorized

(c) If the charter so provides the shares of any preferred or special class may be divided into and issued in series If the shares of any such class are to be issued in series then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes Any or all of the series of any such class and the variations in the relative rights and preferences as between different series may be fixed and determined by the charter provided that all shares of the same class shall be identical except as to the following relative rights and preferences in respect of any or all of which there may be variations between different series namely the rate of dividend the price at and the terms and conditions on which shares may be redeemed the amounts payable upon shares in event of voluntary or involuntary liquidation sinking fund provisions for the redemption or purchase of shares and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes

(d) If the charter shall expressly vest authority in the board of directors then to the extent that the charter shall not have established series and fixed and determined the variations in the relative rights and preferences as between series the board of directors shall have authority by resolution to divide any or all such classes into series and within the limitations set forth in subdivision (c) of this section fix and determine the relative rights and preferences of any series so established Such authority of the board of directors shall be subject to such limitations if any as are stated in the charter and shall always be subject to the limitation that the board of directors shall not create a sinking fund in respect of any series unless provision for a sinking fund at least as beneficial to all issued and outstanding shares of the same class shall either then exist or be at the same time created

(e) Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement in duplicate executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

(1) The name of the corporation

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof

(3) The date and the manner of the adoption of such resolution

If the Department of State find that such statement conforms to law and the charter of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon shall file the statement and shall issue to the corporation or its representative a copy of the approved statement Upon the filing of such statement by the Department of State and upon compliance with the requisite provisions of any law regulating the issue of securities by the corporation the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon.
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pickens,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Lofthus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,
Senate Bill No. 569, Printer's No. 343
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 633, as follows:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain officers and employes of cemetery companies engaged in selling cemetery plots from the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) is hereby further amended to read as follows

Section 2 * * * * *

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania nor shall they be held to include any officer or employe of a cemetery company who as incidental to his principal duties and without remuneration therefor shows lots in such cemetery companies to persons for their use as a family burial lot and who accepts deposits on such lots for the representative of the cemetery company legally authorized to sell the same

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon.
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Greenwood,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,

Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy.
Chervenak.	Hoopes,	Nelson,	Thompson.
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese D. P.,	Weiss,
Dye,	Laughner,	Reese R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Flsh,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 710, Printer's No. 270 was passed over at the request of the SPEAKER.

RESOLUTION No. 58

Mrs. DYE. Mr. Speaker, I desire to call up House Resolution No. 58 on page 21 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 27, 1947.

Whereas Delinquency of juveniles and youth in their early twenties is creating a major problem of crime in this Commonwealth resulting in mounting financial costs to the Commonwealth and great spiritual tragedy and

Whereas Conservation of human resources is a prime concern of the Commonwealth and an adequate preventive program would decrease the terrific loss to the Commonwealth of the productive citizenship of those engaged in crime and

Whereas A survey conducted by the Pennsylvania Federation of Womens Clubs (1945-46) shows serious differences in the preventive protective and corrective services rendered to the children in the several counties of this Commonwealth therefore be it

Resolved (if the Senate concurs) That the Joint State

Government Commission is hereby directed to list study and appraise the problems relating to juvenile delinquency namely its underlying causes the adequacy of existing governmental and private agencies to prevent juvenile delinquency and measures which will conserve and improve the conditions of youth in the Commonwealth and be it further

Resolved That the Joint State Government Commission shall make a report to the next regular session of the General Assembly embracing the results of its findings and its recommendations for legislation to correct existing conditions and to prepare a bill or bills embodying such recommendations

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTIONS

Mr. DAVISON offered a resolution which was laid over under the Rules.

Mr. WEISS offered a resolution which was laid over under the Rules.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the majority leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, if the gentleman has the information, I would like to ask him, first, the cash balance in the Commonwealth as of May 31, 1947, second, the appropriation liabilities against that cash balance as of April 30, 1947; third, the amount that the administration expects to spend during the next biennium for construction.

Mr. SORG. Mr. Speaker, in reply to the first question, the cash balance is approximately one hundred and five million dollars. I had the exact figure here but I do not have it now.

Mr. ANDREWS. \$894,852.53—

Mr. SORG. Cash balance—does the gentleman make a representation that the cash balance at the end of the biennium is far away from one hundred and five million dollars?

Mr. ANDREWS. My figures would be \$105,894,852.53.

Mr. SORG. I would say that is the correct figure. Against that there are appropriation liabilities in an amount which would leave a tentative surplus of \$12,-334,328.49, or approximately \$93,000,000.00.

Mr. ANDREWS. Mr. Speaker, I would ask the majority leader to recheck his figures. My figures would show appropriation liabilities as of May 31, 1947 of \$106,851,-791.00.

Mr. SORG. Mr. Speaker, I have the figures that have been submitted to me. Does the gentleman have reference to the April 30, 1947 figures, or the June 1st figures?

Mr. ANDREWS. The June 1st figures.

Mr. SORG. My figures on that are different, a difference of twelve million dollars.

Mr. ANDREWS. Mr. Speaker, would the gentleman recheck his figures and report to the House tomorrow?

Mr. SORG. I will do that, Mr. Speaker.

Mr. ANDREWS. I would repeat, Mr. Speaker, that my figures would show at least \$106,851,791.73 appropriation

liabilities as of May 31, 1947, leaving in the red the amount of \$956,000.

Mr. SORG. Mr. Speaker, I am quite sure that we may find on rechecking the figures and on further interrogation by the gentleman, that we may come to a difference in the figure on lapsed appropriations.

Mr. ANDREWS. Mr. Speaker, I have one further question, the third question.

Mr. SORG. Mr. Speaker, I cannot give the gentleman any assurance as to the exact amount of money that will be actually spent in the coming biennium on improvements, because of the uncertainty of conditions generally. I can say, however, that appropriations in the amount of at least \$92,000,000 for the one purpose alone of repairing, improving and expanding needed welfare institutional requirements will be made.

Mr. ANDREWS. I thank the gentleman. Mr. Speaker, I simply desire to call to the attention of the Members of the House the fact that if there are appropriations and allocations totalling \$90,000,000 the probabilities, the possibilities are that spending only approximately \$50,000,000 during the next biennium, the fact that \$40,000,000 will be hoarded up against contingencies might have some reference so far as the pressing financial needs of the Commonwealth are concerned, particularly with reference to the major needs such as House Bill 417.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 182.

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pension for the blind old age assistance and the State Emergency Relief Board" by changing the qualifications relating to pensions of blind persons.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, lines 12, 13 and 14 by striking out after the brackets and "\$1200" the following "eighteen hundred dollars (\$1800)" and inserting in lieu thereof the following "one thousand five hundred ninety-six dollars (\$1596)"; lines 18 and 19 by striking out after the brackets and "\$1200" the following "eighteen hundred dollars (\$1800)" and inserting in lieu thereof the follow-

ing "one thousand five hundred ninety-six dollars (\$1596)"; page 5, lines 3 and 4 by striking out at the beginning of the line "eighteen hundred dollars (\$1800)" and inserting in lieu thereof "one thousand five hundred ninety-six dollars (\$1596)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. PROPERT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordler,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 500.

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 17 by inserting after the word "expenses" the following; "at five cents (5c) per mile; page 3, line 1 by inserting after the word "bills" the following "not exceeding ten dollars (\$10) per day."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID P. REESE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,		
Demech,	Kohl,		
Dennison,	Kratz,		
Depuy,	Krise,		
Dix,	Kurtz,		
Dye,	Laughner,		
Efenberg,	Lee,		
Elder,	Leisey,		
Erb,	Livingston,		
Evans,	Livingstone,		
Ewing,	Loftus,		
Feola,	Lovett,		
Flash,	Lyons,		
Fliss,	Madden,		
Flack,	Madigan,		
Fleming,	Mazza,		
Foor,	McCormack,		
		Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Layer,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and titled as follows:

HOUSE BILL No. 507.

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 5, line 9, by inserting after the word "shall" the words "intent to defraud."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CORDIER. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,

De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For.	McCormack,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Layer, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL NO. 78.

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

SENATE BILL NO. 100.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

SENATE BILL NO. 219.

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates

primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district subject to the control of the respective political committee of which they are members

SENATE BILL No. 220.

An Act to further amend sections twelve, thirteen and fourteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries and court clerks and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases; staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

SENATE BILL No. 253.

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

SENATE BILL NO. 284.

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

SENATE BILL No. 334.

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct

improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities authorizing Authorities to charge the cost of constructing lateral sewers against properties benefitted improved or accommodated thereby making such charges liens providing for the enforcement thereof and authorizing Authorities to change tapping fees for sewer connections.

SENATE BILL No. 336.

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employees of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system

SENATE BILL No. 343.

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and for the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further regulating examination and disposition of records imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials and authorizing the commission to procure the advice of experts and to pay for such services

SENATE BILL No. 376.

A Supplement to the act approved the twenty-fifth

day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from toll collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts.

SENATE BILL No. 408.

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

SENATE BILL No. 428.

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

SENATE BILL No. 434.

An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" further describing the powers of limited life insurance companies under certain conditions

SENATE BILL No. 438.

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with

reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued

SENATE BILL No. 553.

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases

SENATE BILL No. 554.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States

SENATE BILL No. 563.

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases

SENATE BILL No. 638.

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"

SENATE BILL No. 659.

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for

local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

SENATE BILL No. 674.

An Act validating county commissioners' deeds where the acknowledgement of such deed or deeds was defective in any respect or where the acknowledgment was not properly taken

SENATE BILL No. 675.

An Act validating County Treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments

SENATE BILL No. 727.

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

HOUSE BILL No. 182.

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pension for the blind old age assistance and the State Emergency Relief Board" by changing the qualifications relating to pensions of blind persons

HOUSE BILL No. 500.

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

HOUSE BILL No. 507.

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by restrict-

ing the payment of bounties to residents of the Commonwealth; reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

HOUSE BILL No. 577.

An Act making a deficiency appropriation to aid certain school districts

HOUSE BILL No. 750.

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief pension and retirement funds.

HOUSE BILL No. 948.

An Act making an appropriation to the Local Government Commission to continue its work

HOUSE BILL No. 1088.

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations

HOUSE BILL No. 1118.

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

HOUSE BILL No. 1316.

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

HOUSE BILL No. 1318.

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

HOUSE BILL No. 1334.

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Gentlemen:

It was very kind and thoughtful of you to forward me a copy of the Resolution passed by the House at the time of Paul's death.

We will have it framed and it will be something for the children and myself to treasure all our lives.

Again, thinking you very much for your thoughtfulness, and kindness,

Sincerely,

(Signed) MILDRED BARRETT

COMMITTEE MEETINGS

City and County—First Class, Room No. 521, Wednesday, June 4, 1947, at 12:45 o'clock noon, D. S. T.

Highways, Room No. 329, Wednesday, June 4, 1947, at 10 a. m., D. S. T.

Judiciary, Room No. 438, Wednesday, June 4, 1947, at 11 a. m., D. S. T.

Motor Vehicles, Room No. 522, Wednesday, June 4, 1947, at 11:30 a. m., D. S. T.

Municipal Corporations, Room No. 521, Wednesday, June 4, 1947, at 11 a. m., D. S. T.

State Government, Room No. 324, Wednesday, June 4, 1947, at 12 o'clock Noon, D. S. T.

Workmen's Compensation, Room No. 330, Wednesday, June 4, 1947, at 11 a. m., D. S. T.

There will be a meeting of the Select Committee on Resolutions of Recognition, Wednesday, June 4, 1947, at 11:30 a. m., D. S. T., in the House Caucus Room.

ADJOURNMENT

Mr. CLEVENGER. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 4, 1947 at 12:00 Noon, Eastern Standard Time.

The motion was agreed to, and (at 4:28 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., WEDNESDAY, JUNE 4, 1947.

No. 69.

SENATE

WEDNESDAY, June 4, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was delivered by the gentleman from Berks, Doctor RUTH.

Almighty and most merciful God, our Heavenly Father, we thank Thee today for this beautiful day. We can truly say, what is so rare as a day in June, and we pray that the spirit of this day may come into our hearts and lives, that it bring us into greater tranquility and peace with Thee and with the world.

Use us to do Thy will here today so that the greatest good may come to those whom we represent. Bless our state in all its efforts and progress and in building up a safe refuge for those who are to live after us, that we may have the same spirit that the founders of our great state had, that this may always be a place where people of all races, creeds and colors are welcome to work and live together, to build the great kingdom of our God here upon earth.

We ask it in Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. T. NEWELL WOOD, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His

Excellency, the Governor of the Commonwealth, on June 4, 1947.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 4, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Grace E. Breinig, Rm. 210, 311 Ross St., Pittsburgh.
Miss Grace E. Coleman, 2601 California Ave., Pittsburgh.
Miss Nellie B. McPoland, 6543 Penn Ave., Pittsburgh, 6.
Miss Bessie M. Warden, Wilkinsburg.

BERKS COUNTY

Miss Marie M. Kleppinger, Reading.

COLUMBIA COUNTY

Paul E. Ward, Bloomsburg.

DELAWARE COUNTY

Mrs. Margaret S. Williams, Clifton Heights.

LANCASTER COUNTY

Mrs. Helen E. Sharp, Lancaster.

LUZERNE COUNTY

Nicholas M. Crease, Hazleton.

NORTHAMPTON COUNTY

Mrs. Nellie Sensenbach, Bath.

PHILADELPHIA COUNTY

John E. Barry, 1713 Wagner Ave., Philadelphia.
Miss Mae E. Breeman, 3209 Kensington Ave., Philadelphia.
Mrs. Helen L. Brown, 746 S. 15th St., Philadelphia.
Miss Mary M. Doyle, 1520 Real Estate Trust Bldg., Philadelphia.
Emanuel J. Reshes, 949 N. 8th St., Philadelphia.
Chas. Schneeberg, 1218 Chestnut St., Philadelphia.
George Washco, 3701 N. Broad St., Philadelphia.

SCHUYLKILL COUNTY

Mrs. Rose Skrabak, Coaldale.

SOMERSET COUNTY

John Kircher, Boswell.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. STEVENSON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mehany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridler,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1173

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 3, 1947.

Resolved, (if the Senate concur), That House Bill No. 1173, Printer's No. 650, entitled:

An Act to amend the title of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances.

be recalled from the Governor for the purpose of further amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1035

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 3, 1947.

Resolved, (If the Senate concur), That House Bill No. 1035, Printer's No. 649, entitled:

An Act to amend section forty of the act, approved the

twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collector Law," by providing that the surety on the bond or bond of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which the surety is interested and to proceed to make collection thereon in accordance with the provisions of this section.

be recalled from the Governor for the purpose of further consideration and amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, June 2, 1947.

Resolved (If the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, June 9, 1947, at three o'clock p. m. Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, June 9, 1947 at three o'clock p. m. Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 182

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," by changing the qualification relating to pensions of blind persons.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 500

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled, "Gene County Law," authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions, and providing that certain expenses are to be paid by the counties.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 507

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 507, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by restricting the payment of bounties to residents of the Commonwealth, reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

AMENDMENT TO HOUSE BILL No. 964
RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were considered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

JOINT STATE GOVERNMENT COMMISSION TO STUDY
PROBLEM OF JUVENILE DELINQUENCY

In the House of Representatives, May 28, 1947.

Whereas, Delinquency of juveniles and youth in their early twenties is creating a major problem of crime in this Commonwealth resulting in mounting financial costs to the Commonwealth and great spiritual tragedy and

Whereas, Conservation of human resources is a prime concern of the Commonwealth and an adequate preventive program would decrease the terrific loss to the Commonwealth of the productive citizenship of those engaged in crime; and

Whereas, A survey conducted by the Pennsylvania Federation of Womens Clubs (1945-46) shows serious differences in the preventive, protective and corrective services rendered to the children in the several counties of this Commonwealth; therefore, be it

Resolved, (if the Senate concurs), That the Joint State Government Commission is hereby directed to list, study, and appraise the problems relating to juvenile delinquency, namely, its underlying causes, the adequacy of existing governmental and private agencies to prevent juvenile delinquency, and measures which will conserve and improve the conditions of youth in the Commonwealth; and be it further

Resolved, That the Joint State Government Commission shall make a report to the next regular session of the General Assembly embracing the results of its findings and its recommendations for legislation to correct existing conditions and to prepare a bill or bills embodying such commendations.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 382

He also returned to the Senate, Senate Bill No. 382, entitled:

An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the con-

duct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 439

He also returned to the Senate, Senate Bill No. 439, entitled:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 492

He also returned to the Senate, Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized

but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

with the information that the House has passed the same without amendments.

Senate Bill No. 26 Returned With Amendments

He also returned to the Senate, Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, County, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

Senate Bill No. 274 Returned With Amendments

He also returned to the Senate, Senate Bill No. 274, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey to Pittsburgh Consolidation Coal Company, a Pennsylvania corporation, a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

Senate Bill No. 436 Returned With Amendments

He also returned to the Senate, Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

Senate Bill No. 633 Returned With Amendments

He also returned to the Senate, Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House as follows:

House Bill No. 694, entitled:

An Act creating a Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia; defining the powers and duties of said commission; providing for participation in the said exposition; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 857, entitled:

An Act establishing a State Institution Retirement System; providing for payments upon retirement, death, disability, involuntary retirement from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by employees covered by the provisions of this act and to the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Which was committed to the Committee on State Government.

House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence, records, reports, and other papers, and for studying and recommending filing systems or the use of space by departments, boards and commissions.

Which was committed to the Committee on Appropriations.

House Bill No. 943, entitled:

An Act to amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that the taxing districts shall pay the premium on bonds insuring the city treasurer against losses of money through no fault of his own.

Which was committed to the Committee on Local Government.

House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of ses preserving and exhibiting the original William Penn Charter and other historical documents.

Which was committed to the Committee on Appropriations.

House Bill No. 1241, entitled:

An Act to further amend subsection (a) section nine hundred five of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," further regulating issuance of permits for excessive size and weights.

Which was committed to the Committee on Highways.

House Bill No. 1309, entitled:

An Act concerning fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth; establishing ownership, jurisdiction and control over the same; enacting, amending, revising, consolidation, and changing the fish laws; fixing penalties, providing for enforcing the laws, granting powers and authority to the Board of Fish Commissioners; enlarging and conferring jurisdiction of magistrates, justices of the peace, aldermen, and courts; providing for establishment, maintenance of a fish fund, and the uses thereof; providing for the taking, transportation, protection, production, and distribution of fish, and aquatic life; providing for acquisition and improvements of lands and waters for the production of fish, establishing public fishing areas, and repealing certain laws.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1337, entitled:

An Act to further amend sections one and three, and to add section four to the act, approved the seventh day of May, one thousand nine hundred twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled, 'imposing additional taxes equal to Federal credits,'" further providing for determination of the estates subject to the Pennsylvania Estate Tax, the computation thereof, and the collection of interest upon tax not paid when due; and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate.

Which was committed to the Committee on Finance.

House Bill No. 1339, entitled:

An Act making an appropriation to the Department of Property and Supplies to purchase, repair, restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland, Delaware County, Pennsylvania, as an historic shrine.

Which was committed to the Committee on Appropriations.

House Bill No. 1342, entitled:

A further supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts Page 63) entitled "An act to provide for

the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty first, one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and forty-seven.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," by changing the qualifications relating to pensions of blind persons.

Senate Bill No. 382, entitled:

An Act to further amend section two hundred three, to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas.

Senate Bill No. 439, entitled:

An Act to amend Sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of powers providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distribution to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and

such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance.

Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without nominal or par value and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations; and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporation; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors of corporations to issue out of the authorized; but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certain conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions, and providing that certain expenses are to be paid by the counties.

House Bill No. 507, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by restricting the payment of bounties to residents of the Commonwealth; reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-

eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," extending the provisions relative to the making of certain contracts and further regulating same

House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, yesterday, while this Senate was passing punitive legislation against labor a man of vision in the city of New York, a man who is close to the problems of the people, spoke out against this type of legislation; the man who governs the largest city in the United States issued the following proclamation:

PROCLAMATION

Whereas, a free labor movement is one of the surest guarantees of a free nation; and

Whereas, the American labor movement has demonstrated an inspiring loyalty to our democratic form of government in time of peace and in time of war; and

Whereas, our free trade unions have made incomparable contributions to the advancement of democracy in our nation; and

Whereas, our free trade union movement is presently imperilled by legislation now before the Congress of the United States; and

Whereas, the legislation, known as the Taft-Hartley bill, would emasculate the Clayton Act, the Norris-La Guardia Act and the Wagner Act, laws which extirpated grave injustices against the workingmen of our nation;

Now, Therefore, I, William O'Dwyer, Mayor of the City of New York, designate the fourth day of June, Nineteen Hundred and Forty-seven as a day of protest to our national authorities in Washington, D. C., against the enactment of this legislation which would be detrimental to the national welfare and our democratic system.

And I further call upon all citizens of this city who oppose such restrictive measures to join with organized labor in making known to our national authorities that the surest road to industrial peace is through friendly cooperation and understanding between management and labor.

In Witness Whereof I have hereunto set my hand and caused the Seal of the City of New York to be affixed this 29th day of May, 1947.

(Signed) WILLIAM O'DWYER

By: (Signed) William J. Donohue
Executive Secretary to the Mayor

What a contrast, Mr. President, to what we did in this Senate yesterday. I believe it was very ably expressed by two labor men who walked into this Senate Chamber this morning, when one turned to the other and said, "How do you feel?" and the other said, "Well, I feel I'm going into a funeral home, because labor was buried in the Senate yesterday."

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Local Government reported as amended, Senate Bill No. 742, entitled

An Act to add a new section to be known as section one hundred twenty-four point one to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered; and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class; prescribing the duties of public officials; requiring the filing of returns and the giving of information to employers and those subject to the tax; imposing on employers the duty of collecting the tax at source; making husband liable for his wife's tax; providing for the enforcement and collection of the tax; imposing penalties and repealing inconsistent laws

Mr. WAGNER, from the Committee on Education, reported as committed House Bill No. 1106, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring degrees and imposing duties on the State Board of Vocational Education and prescribing penalties" changing the definition of private trade school and providing for the licensure of agents of such trade schools.

He also, from the Committee on Education reported as amended, Senate Bill No. 378, entitled:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent there-

with," eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent.

Mr. LORD, from the Committee on Insurance, reported as committed, Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by further regulating the payment of such moneys into the State Employees' Retirement Fund.

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 643 entitled:

An Act to amend sections four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers and changing penalties.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 673, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 809), entitled "An act removing certain roads or sections of roads from the State highway system; and providing for their future maintenance and construction," by removing additional roads from the State highway system.

Mr. MAHANY, from the Committee on Local Government, reported as amended, House Bill No. 207, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

Mr. TYLER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 447, entitled:

An Act to further amend section two hundred thirteen and subsection B of section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further regulating the catching, possession, and sale of bait fish; raising the license fee and increasing the length of time covered by tourist fishing licenses.

Mr. CROWE, from the Committee on Forests and Waters,

Game and Fish, reported as amended, House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

Mr. WADE, from the Committee on Highways, reported as committed, House Bill No. 1111, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions.

Mr. DiSILVESTRO, from the Committee on Highways, reported as amended, Senate Bill No. 149, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge over the Susquehanna River at Retreat State Hospital, Retreat, Luzerne County, to provide the necessary approaches thereto, and making an appropriation.

Mr. STEVENSON, from the Committee of Local Government, reported as amended, House Bill No. 1216, entitled:

An Act to reenact, amend and revise the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs."

Mr. KEPHART, from the Committee on Highways, reported as committed, Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike, the East-

ern Extension and the Western Extension, or any two thereof, for financing purposes under the provisions of this Act; authorizing the issuance of Turnpike revenue bonds of the Commonwealth payable solely from tolls, to pay the cost of the Eastern Extension and the Western Extension, paying the cost of the Eastern Extension, or the cost of the Western Extension, or the cost of both, and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved, or under the provisions of this Act, and which shall then be outstanding, including the payment of any redemption premiums thereon; refunding any revenue bonds, or revenue refunding bonds, heretofore issued under the provisions of this Act, including the payment of and redemption premiums thereon; authorizing the Commission to fix tolls from time to time for use of the projects so combined; providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures, and a facsimile of the official seal of the Commission, upon any bonds issued under the provisions of this Act, or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike; and giving certain definitions.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction, operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any County contiguous to these counties with the State of New Jersey; providing for the creation of the Delaware Tunnel Board, and conferring powers and imposing duties on said Board; authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey, with powers similar to the powers conferred on the Board; authorizing and empowering the Board to enter into a contract with any New Jersey commission, which contract may provide that the Delaware River tunnel or tunnels may be constructed, maintained, and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission, or by the commission with the approval of the Board; authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission, or by the Board with the approval of the commission, or by the commission with the approval of the Board, payable solely from tolls, to pay the cost of such tunnel or tunnels; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the tunnel or tunnels; making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such tunnel or tunnels shall become free; providing for condemnation; authorizing the Department of Highways to advance moneys in behalf of the Commission and provide for the refund of such advances; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; giving the Board under certain conditions, the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania; and authorizing the issuance of tunnel revenue refunding bonds.

Mr. ROSENFELD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 773, entitled:

An Act to further amend Section 1103, of the Act approved the 9th day of April 1929 (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure relative to petitions for review

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38-1933-34) entitled "An act imposing State taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling, or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors; providing for the collection of the taxes, and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors; authorizing refunds or exemption in certain cases, and making an appropriation therefor; and providing penalties," by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 781, entitled:

An Act to further amend Section 4, of the Act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by further regulating the procedure for filing petitions for reassessment, petitions for review and appeals to Court and collection of delinquent taxes.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 782, entitled:

An Act to amend the Act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien

of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1784), entitled "An act concerning newspapers; creating uniformity in the publication of legal notices and advertisements; defining the newspapers in which official and legal advertising shall be published; prescribing methods for computing the charges therefor, and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings," by providing that involuntary suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 1283, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

Mr. KEPHART, from the Committee on Highways, reported as committed, Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage

keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds", by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

Mr. KEPHART. Mr. President, I would like to state that this bill is going to be amended, but we can not get it prepared in time to be inserted into the bill today, and we do not want to lose a day, so therefore we will put the amendment in tomorrow.

HOUSE RESOLUTION REPORTED FROM COMMITTEE

Mr. RUTH from the Committee on Forests and Waters, Game and Fish, to which was referred on May 20, 1947, the following resolution from the House of Representatives reported the same without amendment as follows, viz:

DEPARTMENT, FORESTS AND WATERS TO CONTINUE TO MAINTAIN "HOPEWELL" AS A PARK

In the House of Representatives, February 18, 1947

"Hopewell" an area in Berks and Chester Counties of 5400 acres (of which 500 acres are woodland) formerly under the jurisdiction of the Federal Government is now subject to the control and supervision of the Department of Forests and Waters since it was granted to the Commonwealth under the provisions of the act approved the 22nd day of May 1945 (P. L. 834)

This beautiful park and recreational area has been partially developed. Further development is quite feasible at any time by the construction of headquarters buildings, cabins, public bathing beaches, playgrounds and certain electrical sewerage and safety equipment, the breaking of trails and the maintenance thereof.

There are now a dozen or more State Parks. There is no such park in the southeastern part of the State within a fifty mile radius of "Hopewell". There is a population of five million. These people, hundreds of thousands of whom have visited the area in the last five years together with sportsmen who hope to see a game preserve in part of the area and service clubs and desire that "Hopewell" be made a State Park since most of them have no opportunity to visit our other State Parks, therefore be it

Resolved (if the Senate concurs) That the Department of Forests and Waters continue to maintain "Hopewell" as a park and recreational area and that the Department of Forests and Waters improve and develop "Hopewell" if as and when moneys available for such purpose permit.

The PRESIDENT. The resolution will be laid on the table.

BILLS INTRODUCED AND REFERRED

Mr. CARR read in his place and presented to the Chair Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," further regulating the licensing of dental hygienists.

Which was committed to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 838, entitled:

An Act relating to the introduction of bills in the General Assembly and requiring certain information to be submitted therewith and printed thereon.

Which was committed to the Committee on Rules.

Messrs. MAHANY and HOMESHER read in place and presented to the Chair Senate Bill No. 839, entitled:

An Act to further amend section thirty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by providing for the supervision by the Pennsylvania Board of Parole of certain committed juveniles after their release, upon the request of the court by which such juveniles were committed.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 840, entitled:

An Act to amend section seven hundred thirty-three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," providing for proceedings by petition in non-support and desertion cases.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 841, entitled:

An Act to repeal so much of the act, approved the twenty-second day of April, one thousand eight hundred fifty (P. L. 538), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun-powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State Lunatic hospital," and its supplements as authorize aldermen, justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania, now known as the Pennsylvania Training School at Morgantown.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 842, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred forty-five (P. L. 570) entitled "An act relating to the more effective treatment of persons convicted of crime, or committed as defective delinquents; creating in the Department of Welfare, the

Pennsylvania Correctional Diagnostic and Classification Center; providing for the diagnosis and classification of persons sentenced or committed by the courts to 'a State institution'; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Welfare relative thereto; making civil and criminal laws applicable to penitentiaries, and persons therein or responsible therefor applicable in the case of the said institution," requiring persons sentenced to "a State institution" who are found to be defective delinquents to be referred back to the sentencing court; and providing for the commitment of such persons.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 843, entitled:

An Act making an appropriation to the Department of Public Instruction for administering its program of in-service training.

Which was committed to the Committee on Appropriations.

They also read in place and presented to the Chair Senate Bill No. 844, entitled:

An Act authorizing the Department of Welfare, with the approval of the Governor, to purchase through the Department of Property and Supplies, a tract of land in eastern Pennsylvania and to erect thereon the necessary buildings and to equip the same for use as an institution for delinquent boys to be known as the Pennsylvania Eastern Industrial School; creating a board of trustees for said school; providing for the operation thereof by the Department of Welfare and said board of trustees, and making an appropriation.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 845, entitled:

An Act authorizing the Department of Welfare, with the approval of the Governor, to purchase through the Department of Property and Supplies, a tract of land in Centre County, and to erect thereon the necessary buildings and to equip the same for use as an institution for defective delinquents, to be known as the Pennsylvania School of Centre County for Defective Delinquents; providing for the operation thereof by the Department of Welfare and by the board of trustees hereby created, and making an appropriation.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 846, entitled:

An Act authorizing courts to send certain persons awaiting sentence to the Pennsylvania Correctional Diagnostic and Classification Center for diagnosis.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled

"An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employes of institutions and of the courts.

Which was committed to the Committee on Education.

Mr. FRAZIER read in place and presented to the Chair Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

Which was committed to the Committee on Local Government.

Mr. T. NEWELL WOOD read in place and presented to the Chair Senate Bill No. 849, entitled:

An Act establishing a certain section of public road in the County of Luzerne as a State Highway, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Messrs. WADE and TALLMAN read in place and presented to the Chair Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the Public School Employes' Retirement Association by any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employes' Retirement Association.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and

creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the State Employes' Retirement Association by any contributor who ceases to be a State employe and becomes a public school employe and a member of the Public School Employes' Retirement Association.

Which was committed to the Committee on State Government.

REPORT FROM COMMITTEE

Mr. DENT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, from the Committee on Highways reported as committed, House Bill No. 309, entitled:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 438, as follows:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to the attachment execution assignment or transfer and payable only to beneficiary designated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 3 Whenever any person shall become entitled to receive a benefit from the police retirement fund and shall have been admitted to participate therein he shall

not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto [save from one or more of the following causes that is to say conviction of a crime or misdemeanor becoming a habitual drunkard becoming a non-resident of the State or failing to comply with some general regulation relating to the said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the fund after such due notice and hearing as shall be prescribed by ordinance]

Section 2 Said act is hereby further amended by adding thereto after section three a new section to read as follows

Section 4 The retirement allowance herein provided for shall not be subject to attachment execution levy garnishment or other legal process and shall be payable only to the beneficiary designated by this act and shall not be subject to assignment or transfer

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 438, RECALLED FROM THE GOVERNOR

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 438.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 575, as follows:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition of Terms "Principal" as used in this act means any realty or personality which has been so set aside or limited by the owner thereof or a person thereto legally empowered that it and any substitutions

for it are to remain in trust perpetually or are eventually to be conveyed delivered or paid to a person while the return therefrom or use thereof or any part of such return or use is in the meantime to be taken or received by or held for accumulation for the same or another person

"Income" as used in this act means the return derived from principal

"Tenant" as used in this act means the person to whom income is presently or currently payable or for whom it is accumulated or who is entitled to the beneficial use of the principal presently and for a time prior to its distribution

"Remainderman" as used in this act means the person ultimately entitled to the principal whether named or designated by the terms of the transaction by which the principal was established or determined by operation of law

"Trustee" as used in this act includes the original trustee of any trust to which the principal may be subject and also any succeeding or added trustee

Section 2 Application of the Act Powers of Settlor This act shall govern the ascertainment of income and principal and the apportionment of receipts and expenses between tenants and remaindermen in all cases where a principal has been established with or unless otherwise stated hereinafter without the interposition of a trust provided that the person establishing the principal may himself direct the manner of ascertainment of income and principal and the apportionment of receipts and expenses or grant discretion to the trustee or other person to do so and such provision and direction where not otherwise contrary to law shall control notwithstanding this act

Section 3 Income and Principal Disposition

(1) All receipts of money or other property paid or delivered as rent of realty or hire of personalty or dividends on corporate shares payable other than in shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid or interest on money loaned or interest on or the rental or use value of property wrongfully withheld or tortiously damaged or otherwise in return for the use of principal shall be deemed income unless otherwise expressly provided in this act

(2) All receipts of money or other property paid or delivered as the consideration for the sale or other transfer not a leasing or letting of property forming a part of the principal or as a repayment of loans or in liquidation of the assets of a corporation or as the proceeds of property taken in eminent domain proceedings where separate awards to tenant and remainderman are not made or as proceeds of insurance upon property forming a part of the principal except where such insurance has been issued for the benefit of either tenant or remainderman alone or otherwise as a refund or replacement or change in form of principal shall be deemed principal unless otherwise expressly provided in this act Any profit or loss resulting from any change in form of principal shall enure to or fall upon principal unless otherwise expressly provided in this act

(3) All income after payment of expenses properly chargeable to it shall be paid and delivered to the tenant or retained by him if already in his possession or held for accumulation where legally so directed by the terms of the transaction by which the principal was established while the principal shall be held for ultimate distribution as determined by the terms of the transaction by which it was established or by law

(4) Nothing in this Section 3 shall apply to property in the nature of wasting assets such as timber minerals coal stone oil gas or other natural resources or to property subject to depletion such as leaseholds patents copyrights and royalty rights but this Section 3 shall apply to the shares of corporations which own such property

Section 4 Apportionment of Income Whenever a tenant shall have the right to income from periodic payments which shall include rent interest on loans and annuities

but shall not include dividends on corporate shares and such right shall cease and determine by death or in any other manner at a time other than the date when such periodic payments should be paid he or his personal representative shall be entitled to that portion of any such income next payable which amounts to the same percentage thereof as the time elapsed from the last due date of such periodic payments to and including the day of the determination of his right is of the total period during which such income would normally accrue The remaining income shall be paid to the person next entitled to income by the terms of the transaction by which the principal was established But no action shall be brought by the trustee or tenant to recover such apportioned income or any portion thereof until after the day on which it would have become due to the tenant but for the determination of the right of the tenant entitled thereto The provisions of this section shall apply whether an ultimate remainderman is specifically named or not Likewise when the right of the first tenant accrues at a time other than a payment date of such periodic payments he shall only receive that portion of such income which amounts to the same percentage thereof as the time during which he has been so entitled is of the total period during which such income would normally accrue and the balance shall be a part of the principal

Section 5 Corporate Dividends and Share Rights

(1) All dividends on shares of a corporation forming a part of the principal which are payable in the shares of the corporation itself of the same kind and rank as the shares on which such dividend is paid shall be deemed principal Subject to the provisions of this section all dividends payable otherwise than in such shares of the corporation itself including ordinary and extraordinary dividends and dividends payable in shares or other securities or obligations of corporations other than the declaring corporation shall be deemed income Where the trustee shall have the option of receiving a dividend either in cash or in the shares of the declaring corporation it shall be considered as a cash dividend and deemed income irrespective of the choice made by the trustee

(2) All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in such corporation and the proceeds of any sale of such rights shall be deemed principal All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in another corporation and the proceeds of any sale of such rights shall be deemed income

(3) Where the assets of a corporation are liquidated wholly or partially amounts paid upon corporate shares as cash dividends declared before such liquidation began or as arrears of cumulative preferred or guaranteed dividends shall be deemed income all other amounts paid upon corporate shares on disbursement of the corporate assets to the stockholders shall be deemed principal All disbursements of corporate assets to the stockholders whenever made which are designated by the corporation as a return of capital or division of corporate property shall be deemed principal Any profit or loss resulting from the sale or liquidation of corporate shares shall enure to or fall upon principal

(4) Where a corporation is a party to a merger consolidation or reorganization or otherwise acquires the assets of another corporation or where the capital structure of a corporation is changed either with or without merger or consolidation and the securities of the surviving succeeding reorganized or acquiring corporation with or without cash or other properties are issued to the shareholders of the original corporation in like proportion to or in substitution for their shares in the original corporation and prior to the effective date of such merger consolidation or reorganization there were arrearages or cumulative preferred or guaranteed dividends and such arrearages are eliminated in the merger consolidation or reorganization so much of the securities and cash and

other properties received as is designated by the corporation as a payment in settlement of such arrearages shall be allocated to such arrearages and the balance of the securities and cash and other properties received shall be deemed principal in case the corporation does not so designate the securities received in like proportion to or in substitution for shares upon which there were such arrearages of cumulative preferred or guaranteed dividends at their value as of the effective date of such merger and the cash and other properties received shall be allocated first to principal in the amount of the inventory value of the said shares of the original corporation or in default thereof of their market value at the time the principal was established or of their cost where purchased later second to the arrearages of cumulative preferred or guaranteed dividends or in satisfaction thereof if less than such amount and third the balance if any to principal.

(5) Except as otherwise provided in subsection (4) of this section where a corporation is a party to a merger consolidation or reorganization or otherwise acquire the assets of another corporation and shares of stock of whatsoever character or whatsoever class or classes of the surviving succeeding reorganized or acquiring corporation with or without cash or other securities or properties are issued to the shareholders of a corporation which is a party to such merger consolidation reorganization or acquisition of assets in like proportion to or in substitution for their shares in such corporation all shares of stock so issued and also all cash and other securities and properties which may be so issued shall be principal.

(6) In applying this section the date when a dividend accrues to the person who is entitled to it shall be held to be the date specified by the corporation as the one on which the stockholders entitled thereto are determined or in default thereof the date of declaration of the dividend.

Section 6 Premium and Discount Bonds Where any part of the principal consists of bonds or other obligations for the payment of money they shall be deemed principal at their inventory value or in default thereof at their market value at the time the principal was established or at their cost where purchased later regardless of their par or maturity value and upon their respective maturities or upon their sale any loss or gain realized thereon shall fall upon or enure to the principal provided however that the scheduled increment in value of bonds issued on a discount basis and subject to definite appreciation in value on a fixed schedule shall constitute income as of each date on which an increment occurs and shall be made available as income for such disposition as is provided by the terms of the transaction under which the principal was established by transferring from the principal on each such date an amount equivalent to the increment then occurring.

Section 7 Principal Used in Business

(1) Whenever a trustee or a tenant is authorized by the terms of the transaction by which the principal was established or by law to use any part of the principal in the continuance of a business which the original owner or the property comprising the principal had been carrying on the net profits of such business attributable to such principal shall be deemed income.

(2) Where such business consists of buying and selling property the net profits for any period shall be ascertained by deducting from the gross proceeds during and the inventory value of the property at the end of such period the expenses during and the inventory value of the property at the beginning of such period.

(3) Where such business does not consist of buying and selling property the net income shall be computed in accordance with the customary practice of such business but not in such way as to decrease the principal.

(4) Any increase in the value of the principal used in such business shall be deemed principal and all losses in any one calendar year after the income from such business for that year has been exhausted shall fall upon principal.

Section 8 Principal Comprising Animals Where any part

of the principal consists of animals employed in business the provisions of Section 7 shall apply and in other cases where the animals are held as a part of the principal partly or wholly because of the offspring or increase which they are expected to produce all offspring or increase shall be deemed principal to the extent necessary to maintain the original number of such animals and the remainder shall be deemed income and in all other cases such offspring or increase shall be deemed income.

Section 9 Disposition of Natural Resources Where any part of the principal consists of property in lands from which may be taken timber minerals coal stone oil gas or other natural resources and the trustee or tenant is authorized by the terms of the transaction by which the principal was established or by order of court to sell lease or otherwise develop such natural resources or where such natural resources have been leased or developed prior to the transaction by which the principal was established and no provision is made for the disposition of the net proceeds thereof after the payment of expenses and carrying charges on such property one-third of the net proceeds if received as rent or payment on a lease or as royalties shall be deemed income and the remaining two-thirds thereof shall be deemed principal to be invested to produce income provided that if a surviving spouse of the person establishing the principal shall be the sole tenant he shall be entitled to such proportion of the net proceeds as he would be entitled to under the intestate laws if the person establishing the principal were to die intestate at the time of the receipt of such proceeds a resident of the Commonwealth and owning such proceeds but this shall not include the \$10,000 allowance. Such proceeds if received as consideration for the permanent severance of such natural resources from the land payable otherwise than as rents or royalties shall be deemed principal to be invested to produce income.

Nothing in this section shall be construed to abrogate or extend any right which may otherwise have accrued by law to a tenant to develop or work such natural resources for his own use.

Section 10 Interest-Bearing Obligations in Default

(1) Whenever the interest on an interest-bearing obligation owned by a trust shall be in default in whole or in part and the obligation shall be converted into money or property which can be fairly apportioned or both before the principal is finally distributed then the tenant or in case of his death his personal representative shall be entitled to share in the net proceeds received from the property as delayed income to the extent hereinafter stated.

(2) Such delayed income shall be the difference between the net proceeds received from the conversion and the amount which had it been placed at simple interest at the rate of four per centum per annum for the period during which such interest was in default in whole or in part would have produced the net proceeds at the time of conversion. In no event shall delayed income exceed the defaulted interest upon the obligation. The net proceeds shall consist of the gross proceeds including property other than money received from the conversion less any expenses incurred in converting and preserving the asset and less all carrying charges which have been paid out of principal pending conversion but shall not include net income received pending conversion.

(3) The tenant shall be entitled to receive from time to time and to keep the net income from any form or property or obligation into which such interest-bearing obligation may be converted until it is finally converted into money or property which can be fairly apportioned or both and his share of the delayed income shall be reduced by the amount of income received and by the value of any beneficial use of the property which he may have had.

(4) In the case of successive tenants the delayed income shall be divided among them or their representatives according to the length of the period for which each was entitled to income.

Section 11 Expenses Trust Estates

(1) All ordinary expenses and charges incurred in connection with the trust estate or with its administration and management shall be paid out of income but such expenses where incurred in disposing of or as carrying charges on unproductive estate shall be paid out of principal and where incurred in disposing of or as carrying charges on underproductive estate shall be paid out of principal to the extent that the income from the property shall not be equal to such expenses

(2) Trustees' compensation compensation of assistants and court costs and attorney's and other fees may be apportioned between income and principal as the court may direct

(3) All other expenses including cost of investing or reinvesting principal and other costs incurred in maintaining or defending any action to protect the trust or the property or assure the title thereof unless due to the fault or cause of the tenant and costs of or assessments for improvements to property forming part of the principal shall be paid out of principal Any tax levied by any authority Federal State or foreign upon profit or gain defined as principal under the terms of subsection (2) of section 3 shall be paid out of principal notwithstanding said tax may be denominated a tax upon income by the taxing authority

(4) Interest and penalties on inheritance and estate taxes levied by any authority Federal State or foreign shall be paid out of principal to the extent that such interest and penalties are in excess of the rate of return which has been or shall be realized from the estate during the time that such interest and penalty have accrued

(5) Expenses paid out of income according to subsection (1) hereof which represent regularly recurring charges shall be considered to have accrued from day to day and shall be apportioned on that basis whenever the right of the tenant begins or ends at some date other than the payment date of the expenses Where the expenses to be paid out of income are of unusual amount the trustee may distribute them throughout an entire year or part thereof or throughout a series of years After such distribution where the right of the tenant ends during the period the expenses shall be apportioned between tenant and remainderman on the basis of such distribution

Section 12 Expenses Non-trust Estates

(1) The provisions of Section 11 so far as applicable shall govern the apportionment of expenses between tenants and remaindermen where no trust has been created subject however to any legal agreement of the parties or any specific direction of the taxing or other statutes but where either tenant or remainderman has incurred an expense for the benefit of his own estate and without the consent or agreement of the other he shall pay such expense in full

(2) The special taxes or assessments for an improvement representing an addition of value to property forming part of the principal shall be paid by the tenant where such improvement cannot reasonably be expected to outlast the estate of the tenant In all other cases a portion thereof only shall be paid by the tenant while the remainder shall be paid by the remainderman Such portion shall be ascertained by taking that percentage of the total which is found by dividing the present value of the tenant's estate by the present value of an estate of the same form as that of the tenant except that it is limited for a period corresponding to the reasonably expected duration of the improvement The computation of present values of the estates shall be made on the expectancy basis set forth in the American experience tables of mortality and no other evidence of duration or expectancy shall be considered

Section 13 Short Title This act may be cited as the Principal and Income Act of 1947

Section 14 Repeal The act approved the third day

of May one thousand nine hundred and forty-five (P. L. 416) entitled "An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto" and Section twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action in suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" and their amendments and all other acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed absolutely

Section 15 Time of Taking Effect The provisions of this act shall become effective upon the enactment thereof and shall apply to all estates of tenants or remaindermen and to all wills trust agreements and trust relations theretofore or thereafter made or created Except that the provisions of Section 9 hereof shall apply only to wills trust agreements and trust relations and to estates of tenants or remaindermen thereafter made or created And provided further that the provisions of this act shall not apply to receipts and expenses received or paid prior to the effective date of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 575

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 575.

Mr. HEYBURN. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahausen,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 3, on third reading, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 200, as follows:

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contribution by members of the Pennsylvania State Police and the Commonwealth of certain of said funds providing for the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contributions by members of the Pennsyl-

vania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 106) is hereby further amended to read as follows

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the General Fund and from the Motor License Fund from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) [one] two one-hundredth (2/100) of his final salary for each year of total service and in addition thereto if an original member of [one] two one-hundredth (2/100) of his final salary for each year of prior service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System

The amounts to be paid by the Commonwealth from the General Fund and the Motor License Fund into the State Employees' Retirement Fund shall be apportioned in the same ratio as the salaries of the members of the Pennsylvania State Police

Section 2 Sections eleven twelve thirteen and fourteen of said act are hereby amended to read as follows

Section 11 Payments Upon Death If the board shall find that a contributor died as a direct and proximate result of injuries received in the course of his employment or while on disability retirement allowance resulting from such injuries a retirement allowance shall be paid to his widow so long as she remains his widow and if and when such widow dies or remarries then to his children under eighteen (18) years of age while they are under eighteen (18) years of age and if and when there are no children under eighteen (18) years of age then to the member's parent or parents if they are dependent

Such retirement allowance shall consist of (a) a member's annuity which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit and (b) a State annuity equal to 50% of the final salary of the contributor less the amount which is paid to any such widow or children or dependent parent or parents under the Workmen's Compensation Laws of this Commonwealth during the period such compensation is paid or payable

Section 12 Superannuation Retirement Allowance Any contributor may retire for superannuation by filing with the board a written application for retirement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor Provided however That the date so specified in the application shall not be more than thirty days from the date of filing or depositing the application in the mail

When a contributor retires for superannuation under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in section [17] 15 Such retirement allowance shall consist of (a) member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Member's Annuity Reserve Account and (b) a State annuity equal to [one] two one-hundredth (2/100) of his final salary for each year of total service and if an original member in addition thereto of [one] two one-hundredth (2/100) of his final salary for each year of prior service and an additional state annuity which

shall be equivalent to the additional members annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employees' Retirement System but the State annuity shall not exceed fifty (50%) per cent of the contributor's final salary

Section 13 Disability Retirement Allowance In case of the disability of a contributor regardless of the length of service of the contributor a retirement allowance shall be granted the contributor [in an amount calculated in accordance with the provisions of the State Employees' Retirement Act relating to disability retirement allowances and subject to the same terms conditions and rights as provided by said act] which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Members Annuity Reserve Account and (b) a State annuity equal to two one-hundredth (2/100) of his final salary multiplied by the number of years service but in any case not less than thirty per centum (30%) nor more than fifty per centum (50%) of said salary

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but before reaching superannuation retirement age he shall upon filing of application in the manner herein provided or superannuation retirement be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age as provided in this act with respect to State annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 3 Section twenty-one of said act is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		
NAYS—0			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED
Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 345, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

And said bill having been read at length the third time,

On the question,
Will the Senate agree to the bill on third reading?
Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.
The PRESIDENT. Is there objection?
Mr. BARR. Mr. President, I object.

RECONSIDERATION OF HOUSE BILL No. 345

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 345 passed second reading.

The PRESIDENT. How did the Senator vote?
Mr. WALKER. Mr. President, I voted with the majority.
Mr. HEYBURN. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. HEYBURN. Mr. President, I voted with the majority.

On the question,
Will the Senate agree to the motion?
Mr. BARR. Mr. President, I ask for a roll call.
The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—34			
Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. E.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16
Barr, Holland, Leader, Ruth,
Dent, Jaspan, Margie, Stiefel,
DiSilvestro, Klein, Rahauser, Tarr,
Haluska, Lane, Rosenfeld, Woodring,
So the question was determined in the affirmative.
And the question recurring,
Will the Senate agree to the bill on second reading?
Mr. WALKER. Mr. President, I desire to offer amendments.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, how can we vote on these amendments when the bill is not on our desks?

The PRESIDENT. The Secretary of the Senate will inquire and see whether or not copies of the bill are on the desks of the Senators.

Mr. WALKER. Mr. President, I have been informed that copies of the bill have been on our desks for some time. Of course, if the gentleman from Allegheny inadvertently has lost his copy of the bill I wish to advise him that the bill was reported on May 13 from the Senate Committee on Local Government and has been on our desks constantly since then. The gentleman from Allegheny knows, under the new system the Senate is using, that we have a loose-leaf system and possibly his filing system is not up to date and for that reason probably the bill is not on his desk, but I will be very happy to borrow a copy of the bill for him and present it to him if he so desires.

Mr. BARR. Mr. President, it is my understanding that copies of bills are supposed to be on our desks when they are being acted upon, and this bill is not upon my desk.

Mr. WALKER. Mr. President, that is correct, copies of new bills are placed on the desks, but the gentleman is not entitled to a fresh copy every morning; this is not a daily newspaper, it is a bill before the Senate. The gentleman from Allegheny is entitled to have a copy of the bill on his desk, but there is nothing under the rules of the Senate to make it necessary to constantly provide Senators with additional copies.

Mr. BARR. Mr. President, unfortunately, I can not remember the wording of every bill that is on my desk or which has been on my desk.

The PRESIDENT. The Chair rules that the bill has been placed on the desk of the Senator and the Clerk will proceed.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 14), page 16, lines 3 and 4, by striking out the words "The governing body of the city or by"; Amend Sec. 1, (Sec. 14), page 16, lines 6, 7, 8 and 9, by striking out the words "The governing body of the" in line 6, all of lines 7 and 8, and the part-word "vided" in line 9; Amend Sec. 1, (Sec. 14), page 16, line 9, by striking out the word "however."

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, may we be at ease for a moment?

(The Senate was at ease.)

Mr. BARR. Mr. President, this and one other amendment was offered to this bill last week, I think, with the same request, that it be printed and laid over.

As I read this section now it provides that "increases in pension payments shall be determined by the cost of living, provided that the governing body of the city shall not be empowered to increase the pension payment beyond the schedule herein provided. In no event, however, shall any increase in living costs result in de-

creasing the schedule of pension payments in effect prior to the passage of this amendment."

Mr. President and members of the Senate, the courts have ruled heretofore that the pension system that is set up could never be decreased, because this feature was never in the Act before. In this bill we are increasing pensions of the police in the city of Pittsburgh from \$80 to \$100 a month.

If at some future date, and I do not know just who is going to be in command at city hall and who will be the members of city council, if a depression should hit—and Seantor Walker well knows that right now the city of Pittsburgh is operating under deficit financing and has been for three years—that city councils would have the authority to cut salaries of their employes but would not be able to bring this pension payment down from \$100 to \$80 per month.

Therefore, in my opinion, this is most unfair, because it is a cost of living increase. I ask that the amendments be defeated. As it now stands, the gentleman from Allegheny, Senator Walker, allows the right to city council that they can increase these pensions at any time and can not decrease them, and I again say that is unfair.

Mr. WALKER. Mr. President, I desire to inform the gentleman from Allegheny that if and when the amendments are adopted, I will request that this bill go over in its order on second reading, so that he will have opportunity to study the bill as amended.

Mr. BARR. Mr. President, I am able to read this plainly. These are simply strike-out amendments the gentleman has offered, and I am telling the Senate what is in the amendment and I ask in all fairness to the administration of the city of Pittsburgh, which has agreed to go along with this increase from \$80 to \$100 a month for these policemen, that the Senate defeat this amendment.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. WALKER. Mr. President, before the bill is read for the second time I would like to request that it go over in its order, with the amendments adopted.

Mr. BARR. Mr. President, I have been in the Senate now for about nine years and in my opinion this is about

the cheapest type of politics I have ever seen played on the Senate floor for a long time.

Mr. WALKER. Mr. President, may I say to the members of the Senate that this is not the first time on the floor of this Senate, in my eight years, that my good friend and colleague from Allegheny has, at a time when he is emotionally disturbed, directed derogatory remarks to me in public, and then apologized in private, so I will say to him in public that I do not take as a personal affront the remarks that he just made, but I resent the word "cheap" because I hold my politics very dearly.

Mr. BARR. I have no apologies to make, Mr. President, and I still reiterate this is distasteful and cheap politics.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 365, on third reading, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 406, as follows:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of pay-

ments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" clause six as last amended by the Act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and clause nine as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraised and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employees of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State Employees" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior

service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association.

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during the legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto.

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final.

* * * * *

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of State employee has been changed so as to include additional persons not previously classed as State employees if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association.

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established. Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed. Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated.

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member.

Section 2 Section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) is hereby further amended to read as follows:

Section 3 A State employees' retirement association is hereby organized the membership of which shall consist of all State employees as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a

new member elect to be covered by the retirement system. Any State employee who becomes a State employee subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employee have the option of membership but after the first six months of such employment as a State employee membership as a new member shall be compulsory. Provided however That neither the Governor nor the Lieutenant Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commission nor the secretary to the Governor nor the budget secretary nor any legislative employee nor any person over the age of fifty years shall be compelled to become members of said State employees' retirement association.

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employee within said six months period and that payroll deductions are not delayed beyond said period.

Section 3 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 466, as follows:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of two million five hundred thousand dollars (\$2,500,000) or so much thereof as may be necessary is hereby specifically appropriated out of moneys in the General Fund to the Department of Commerce for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Com-

Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal Government or by a political subdivision or municipal authority of the Federal Government

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Tarr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 467, as follows:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much of the moneys as shall be determined by the Department of Revenue in the Motor License Fund as are derived after May thirty-first one thousand nine hundred forty-seven from the tax on liquid fuels sold for use in aircraft is hereby specifically appropriated to the Department of Commerce for the following purposes (a) for the proper conduct of the work of the Pennsylvania Aeronautics Commission including payment of expenses of the commission and the salaries wages or other compensation of an executive director and other employes for the payment of general expenses supplies printing equipment and maintenance and repairs of landing fields intermediate landing fields landing field equipment beacon sites other air navigation facilities and for the encouragement and development of civil aeronautics and (b) for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 471, as follows:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Coal Mine Sealing Act of 1947"

Section 2 The following words and phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) The term "abandoned coal mines" shall mean any coal mine in which mining operations have ceased because of the complete exhaustion of coal or the exhaustion of coal which it is practical to mine within the foreseeable future or where exemption from taxation has been allowed because of the absence of mineable coal

(2) The term "mine sealing" shall mean the closing of openings into a mine in such a manner as to permit the outflow of water that may accumulate therein while at the same time preventing the flow of appreciable quantities of air into the mine The purpose of such sealing is to minimize or stop the formation of acid in the water as it flows through the mine

(3) The term "operator" shall mean any lessee person political subdivision or the Commonwealth of Pennsylvania

(4) The term "department" shall mean the "Department of Mines" as now organized and operating in the Commonwealth of Pennsylvania

(5) The term "Openings" shall mean all shafts slopes drifts and tunnels

Section 3 (a) All operators engaged in the mining of coal in this Commonwealth shall upon the abandonment of a mine seal any and all openings leading from such mine to the surface through which water may flow into any of the streams of this Commonwealth and through which appreciable quantities of air may enter the mine Such sealing shall be started within sixty (60) days of abandonment and shall be diligently carried on to completion in all cases sealing shall be completed within six (6) months following abandonment

(b) The operator last engaged in the operation of mines abandoned prior to the effective date of this act not heretofore sealed shall within six (6) months after the effective date of this act seal any and all openings

leading from such mine to the surface through which water may flow into any of the streams of this Commonwealth and through which appreciable quantities of air may enter the mine provided that the mine is in the possession of the said operator

(c) The location and nature of any such seals which may be erected shall be in accordance with the requirements of or with plans furnished by the department provided that the sealing of such mine shall not interfere with any other mine or endanger life or property in any community

Section 4 In cases where the operator is not in possession of the abandoned coal mine upon the effective date of this act the work of sealing the openings and the cost of such work shall be assumed by the Commonwealth and shall be paid out of any appropriation made to the department for this purpose

Section 5 After a mine has been sealed to the satisfaction of the department the maintenance of such seals shall be the duty of the Commonwealth of Pennsylvania acting through the department

Section 6 The department or its representatives is hereby authorized to enter upon any lands where openings to abandoned mines are located for the purpose of sealing such openings for inspecting and maintaining such seals and for putting into effect the provisions of this act Such entry shall not be construed as an act of condemnation of property or of trespass thereon

Section 7 The sum of one million ninety thousand dollars (\$1,090,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the use of the department in carrying out the provisions of this act

Section 8 Any person who removes or destroys any seal erected for the purposes described in this act or who penterates by means of shaft slope drift tunnel or otherwise any sealed mine without first having received the approval of the department shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1000) or in the case of individuals or the responsible officers and agents of corporations and associations to undergo imprisonment for a period of not more than one (1) year or both

Section 9 On and after the passage of this act any operator who refuses or neglects to properly seal mine openings in accordance with plans submitted by the Department of Mines shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1000) or in the case of individuals or the responsible officers and agents of corporations and associations to undergo imprisonment for a period of not more than one (1) year or both

Section 10 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,

DiSilvestro,
Doehla,
Donlan,
Farrell,

Klein,
Lane,
Leader,
Letzler,

Stevenson,
Stiefel,
Tallman,

Wood, T. N.,
Wood, L. H.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 472, as follows:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions asquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) respectively are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employees of the Pennsylv-

vania State Colledge paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employees of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State Employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

Employees of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institution districts and other political subdivisions that are actually used as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who as of the effective date of this act are contributors or who on or before the thirtieth day of June one thousand nine hundred forty-seven become contributors to this fund shall for the purposes of this act be deemed to have been "State employees" from the time they first entered the employe of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employe shall pay to the retirement association a sum equal to all the back payments which such employe would have made had he or she become a member of the retirement association at the time he or she was first

employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employe increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * * *

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employee who is an employee of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employee of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-seven

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election

or appointment as a judge receiving a retirement allowance as an original member

Section 2 The sum of two hundred fifty thousand dollars (\$250,000) is hereby specifically appropriated to the State Employees' Retirement Board to be credited to the contingent reserve account of the State Employees' Retirement Fund to be applied towards the payment of the additional state annuities provided for by this act

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 529, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of Article nine is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines and the General Assembly may by general laws authorize agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 541, as follows:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee to include employees of the Interstate Commission on the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c. That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6. "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employees of the Interstate Commission on the Delaware River Basin as of the date of entering the service of such commission and of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Interstate Commission on the Delaware River Basin and the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per

diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Taliman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or au-

thorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Secretary of Revenue ex officio

Each member of the commission except the Secretary of Revenue shall receive a salary of [five] [thousand] five thousand five hundred dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor

The commission may with the approval of the Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Becker,	Farrell,	Lord,	Taylor,
Berger,	Frazier,	Mahany,	Tyler,
Blass,	Geltz,	Mallery,	Wade,
Carr,	Hare,	Rosenfeld,	Wagner,
Chapman,	Heyburn,	Ruth,	Walker,
Crider,	Holland,	Scarlett,	Watson,
Crowe,	Homsher,	Snowden,	Wilson,
DiSilvestro,	Jaspan,	Stevenson,	Wolfe,
Doehla,	Kephart,	Tallman,	Wood, L. H.,
Donlan,	Letzler,	Tarr,	Wood, T. N.,

NAYS—10

Barr,	Klein,	Margie,	Stiefel,
Dent,	Lane,	Rahausen,	Woodring,
Haluska,	Leader,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand

nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. FARRELL. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, (Section 409), page 4, line 5, by striking out after the word "hundred)" and before the word "dollars" the words "six thousand" and inserting in lieu thereof the following: "fifty-five hundred."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 713, as follows:

An Act creating a commission to make a through study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission providing for cooperation with and by the Joint State Government Commission and making an appropriation
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas the existing tax structure of the Commonwealth has been developed on a piecemeal basis with the result that it lacks a scientific and equitable basis

Whereas it is frequently represented that our present tax structure unduly burdens industrial enterprise with the result that new industrial enterprises are deterred from locating in the Commonwealth and existing industrial enterprises are in an unfavorable competitive position and

Whereas increasing demands for government service result in the necessity of raising additional revenue to pay the cost thereof which must not be levied so as to destroy the industrial position of the Commonwealth

Section 1 A commission to be known as the State Tax Commission is hereby created consisting of the Secretary of Commerce ex officio who shall be chairman thereof and six other members two of whom are to be appointed by the Governor two by the President Pro Tempore of the Senate and two by the Speaker of the House of Representatives to study the laws of this Commonwealth and of other states and countries relating to taxation to investigate systems and methods of taxation and to revise the existing laws of the Commonwealth relating to taxation in order to provide ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis and to safeguard and enhance the industrial position of the Commonwealth in the discharge of its duties the state tax commission may with the consent and approval of the Joint State Government Commission use any data and material compiled by the commission study the reports made by and for that commission advise and consult with said commission or any subcommittee created by it hold joint meetings with any such subcommittee to the end that full co-operation may be established for the accomplishment of a common end the final report of the state tax commission and any tax program resulting therefrom shall be submitted to the Joint State Government Commission for its approval The members of the commission shall serve without compensation but they shall be reimbursed for their living and traveling expenses necessarily incurred in the performance of their duties

Section 2 The commission is hereby authorized to sit at Harrisburg or elsewhere within the Commonwealth and to employ a secretary and counsel and such other assistants as may be necessary

Section 3 The commission shall have the power to issue subpoenas under the hand and seal of its Chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the Courts of this Commonwealth Each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before the commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 4 Vacancies occurring in the membership other than the Chairman of the Commission shall be filled by appointment by the authority who appointed the member whose place is vacated In the case of the vacancy of the Chairman the succeeding Secretary of Commerce ex officio shall become Chairman of the Commission

Section 5 The commission on or before February one thousand nine hundred and forty-nine shall report the results of its investigation to the Governor and the General Assembly together with such proposed legislative measures as it deems advisable to carry its recommendations into effect

Section 6 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the commission for the purpose of paying the expenses of its members and the salaries and traveling expenses of its employes for the preparation editing printing and distribution of the report of the commission and any other expenses necessary for the work of the commission

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Margle,	Wagner,
Crider,	Holland,	Rahausen,	Walker,
Crowe,	Homsher,	Rosenfeld,	Watson,
Dent,	Jaspan,	Ruth,	Wilson,
DiSilvestro,	Kephart,	Scarlett,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stietel,	Woodring,

NAYS—2

Snowden, Wood, T. N.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 715, as follows:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

Whereas It was never the intention of the legislature to prohibit the exhibition of religious motion pictures by churches under the provisions of the act to which this is an amendment therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" is hereby amended by adding thereto a new section to follow immediately after section six to read as follows

Section 6.1 Non-applicability of Act The provisions of this act shall in no way prohibit the exhibition of religious motion pictures by churches at any time provided however that the said motion pictures shall be exhibited within church property and provided further that no admission charge shall be made

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty-one of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 41 The provisions of this act shall become effective the first day of [July] February one thousand nine hundred [forty-seven] forty-eight

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 737, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the change of the fiscal year by districts of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts in this Commonwealth except as hereinafter provided the school year shall begin on the first Monday of July each year In school districts of the first class the school directors appointed as herein provided shall meet and organize annually on the Second Monday of November and in school districts of the second third and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created or when the offices of all the school directors of a district become vacant the school directors appointed by the court in any such case

shall meet and organize within ten days after their appointment

When two or more school districts are consolidated or because of the consolidation or boroughs as provided by the General Borough Act the school directors of such consolidated districts shall organize on the first Monday of July following such consolidation by electing a president and vice-president who shall hold their respective offices until the first Monday of December following their election and by the election of a secretary for the consolidated district who shall serve for the remainder of the term for which secretaries are elected and by the election of a treasurer for the consolidated district who shall hold office for the school year

Section 2 Section five hundred thirty-six of said act is hereby amended to read as follows

Section 536 In all school districts of the second third and fourth class in this Commonwealth the fiscal year shall begin on the first Monday of July each year Provided That in order to conform to the provisions of existing law requiring school taxes in cities of the second class A to be included in the same statement as taxes of political subdivisions which levy their taxes on the basis of the calendar year the board of school directors of any district of the second class may by resolution adopted by two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting fix the fiscal year of such school district so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

Section 3 Section five hundred thirty-seven of said act as amended by the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 508) is hereby further amended to read as follows

Section 537 In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year [and in] except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of each year In school districts of the second class the tax rate shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Provided That each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausey,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 792, as follows:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles from selling or reselling the same or accessories sold therewith at prices in excess of the retail prices established or suggested by the manufacturers requiring such persons to display at their place of business the manufacturer's established or suggested retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers requiring a duplicate bill of sale showing the consideration received to be delivered to the purchaser providing for the revocation of dealers' licenses and imposing penalties for violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During and since the recent World War large quantities of automobiles have been sold and transported out of this Commonwealth to other markets and many thousands of such vehicles allotted by manufacturers to the territory composed of this Commonwealth have been diverted by dealers from the orders of purchasers and caused to be sold in markets in this and other states These practices have created an acute shortage of such vehicles in the Commonwealth and persons have secured control of the supply and maintain a monopoly of the sale of new and used automobiles and trucks and have extorted from persons prices which are exorbitant and beyond the means of many persons to whom such vehicles are a necessity Such automobiles are essential to the industrial and commercial activities and to the livelihood of the citizens and such shortages and extortion impede and interfere with the economic life and prosperity of this Commonwealth and create a serious emergency at the present time

Section 2 No person engaged in the business of selling or reselling new or used automobiles shall sell or resell the same at prices in excess of the retail delivered prices established or suggested by the manufacturers thereof for new automobiles at the manufacturer's shipping point plus transportation charges the retail installed prices of any optional equipment and accessories selected by the retail purchaser and any applicable taxes

Section 3 Every person engaged in the business of selling or reselling new or used automobiles shall cause to be posted and displayed in a conspicuous place in his garage showroom lot or other place of business a list showing such retail prices established or suggested by the manufacturer of the automobiles which he offers for sale or sells and shall also display such manufacturers retail prices upon each new or used automobile which he offers for sale or sells

Section 4 Every person engaged in the business of selling or reselling new or used automobiles shall at all times keep in his place of business accurate complete and permanent records showing the prices at which he has bought and sold all such automobiles and of the dates of such sales and the names and persons from whom he has purchased or to whom he has sold such articles and also keep such records of all automobiles purchased or received from the manufacturers or others and of the dates when purchased and received and keep on file all orders and contracts received from customers from purchases and of the dates when such automobiles were delivered to them and of the prices charged to them All such places of business and such records shall be open to inspection at all reasonable times by representatives of the Bureau of Motor Vehicles of the Department of Revenue of this Commonwealth and of the Pennsylvania State Police The making of any false statement in such record or the

failure to keep such records or files shall constitute a misdemeanor and be punished in the manner hereafter provided

Section 5 No person engaged in the business of purchasing or selling new or used automobiles shall impose as a condition of any such sale any requirement that the purchaser shall buy from such person parts and accessories which are not included in such retail price established or suggested by the manufacturer for such automobile

Section 6 Upon the sale of any such automobile the seller shall deliver to the purchaser a bill of sale in duplicate stating in detail the consideration for such sale including the model and year of any automobile traded in exchange and any other items of value received therefor

Section 7 The making by any person engaged in the purchase or sale of new or used automobiles of any false record in connection with any purchase or sale or any order or contract for the purchase or sale of any such new or used automobile or any other violation of the provisions of this act shall be ground for revoking the dealer's license and refusing to grant to any dealer a license or renewal thereof

Section 8 The provisions of this act shall not apply to any person who sells a new or used automobile which he has purchased in good faith for his own use and not for the purpose of resale

Section 9 For the purposes of this act the word "person" shall include an individual corporation partnership or association

Section 10 Any violation of the provisions of this act shall constitute a misdemeanor punishable by a fine of not more than five thousand dollars (\$5,000.00) or by imprisonment for a term not to exceed one (1) year or both

Section 11 If any clause sentence paragraph or part of this act or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act and the application of such provision to other persons or circumstances but shall be confined in its operation to the clause sentence paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved it is hereby declared to be the legislative intent that this act would have been adopted had such invalid provisions not been included

Section 12 The provisions of this act shall become effective ten (10) days after final enactment and shall remain in force for a period of two (2) years after such final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Becker,	Frazier,	Mallery,	Taylor,
Blass,	Haluska,	Margie,	Tyler,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Stevenson,	Wolfe,
Doehla,	Lane,	Stiefel,	Wood, L. H.,
Donlan,	Leader,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,

NAYS—9.

Berger,	Hare,	Letzler,	Snowden,
Crider,	Homsher,	Mahany,	Wade,
Geltz,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812, as follows:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States

Preamble

Whereas The production sale and distribution of milk and certain milk products in this Commonwealth are attendants with serious conditions affecting milk producers milk dealers and consumers of milk the following legislative findings of fact with respect thereto are hereby made

1 Milk is the most necessary human food vital for promotion of the public health and for development of strength and vigor in the race It is a most fertile field for the growth of bacteria and therefore its production and distribution have been surrounded by more costly sanitary requirements than those of any other commodity in this the third greatest milk producing and consuming state of the nation

2 Milk consumers are not assured of a constant and sufficient supply of pure wholesome milk unless the high cost of maintaining sanitary conditions of production and standards of purity is returned to the producers of milk If this is not done large numbers dispose of their herds or engage in milk strikes and other producers supply unhealthful milk or milk of lower quality because of financial inability to comply with sanitary requirements and to keep vigilant against contaminations Public health is menaced when milk dealers do not or cannot pay a

price to producers commensurate with the cost of sanitary production or when consumers are required to pay excessive prices for this necessity of life

3 Approximately eight thousand milk producers residing in the Commonwealth of Pennsylvania and many thousand producers resident in other northeastern states including principally Pennsylvania New York New Jersey and Vermont ship milk to the New York City Metropolitan Market Because of the interstate character of much of the milk entering this market great difficulty has been experienced in stabilizing said market and securing to the widely scattered producers prices adequate to insure a constant supply of pure and wholesome milk for the consumers The problem in these states is a common one that cannot be effectively met by legislation enacted by them severally Uniform regulation and control of all milk and cream entering the same market is essential to the production delivery and sale of adequate pure and wholesome milk and cream for the health and welfare of the consumer public residing in New York City and the Counties of Westchester Suffolk and Nassau in the State of New York and because of the interstate character of much of this milk and cream the required uniformity can be accomplished only through the joint action and agreement of the states affected in the nature of an interstate compact made effective by the consent of the Congress of the United States as contemplated in Article 1 Section 10 Clause 3 of the Constitution of the United States

Whereas public control of the milk industry especially as to prices paid to producers shipping both intrastate and interstate should remain under control of law to the end that the prices received by producers shipping in interstate commerce shall be commensurate with the prices received by producers selling their milk intrastate

Whereas it is necessary to preserve promote and protect the public health and welfare and to prevent fraud and imposition upon consumers and producers by continuing to treat the production transportation manufacture processing storage distribution and sale of milk as a business affecting the public health and affected with a public interest

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania is hereby designated and appointed as Milk Compact Commissioner and vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control as applying to milk delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York Said Milk Compact Commissioner is hereby authorized to confer and negotiate with and to enter into an agreement or interstate compact with such authority of New York New Jersey and Vermont and Massachusetts if it chooses to join to provide for the uniform regulation of the price to be paid producers for such milk subject to such federal consent as may be required by law The Milk Compact Commissioner may if such compact shall so provide become a member of any authority or commission created by such compact for the purpose of conducting investigations securing information holding hearings fixing prices and issuing orders rules and regulations

Section 2 Any such compact as hereinbefore provided may include or provide the method and procedure for establishing by orders of any authority or commission created thereby among other things formula prices equalization of producer prices assessment of administrative expense against handlers and compensation for services to producers Such compact shall be applicable only to that milk which constitutes the regular and the necessary reserve supply for New York City and the counties of Westchester Suffolk and Nassau in the State of New York Any such compact shall provide that in fixing prices for

milk consideration shall be given to all the elements of the cost of production and other economic conditions which affect the market supply and demand for milk and its products and shall provide for the fixing of such prices as will reflect such factors insure a sufficient supply of pure and wholesome milk and be in the public interest Any such compact shall provide that any order issued thereunder shall fix a price of any milk covered by such order and distributed in Pennsylvania as fluid milk or cream which shall be commensurate with the prices established by law on other milk produced in Pennsylvania and distributed in the same market in Pennsylvania as milk or cream and not covered by such compact order Such compact shall also provide that any milk delivered by producers for re-sale or processing as milk or cream in the city of New York or the counties of Westchester Suffolk or Nassau in the State of New York and diverted from those markets to any market in Pennsylvania shall be priced at a price commensurate with the prices legally established by the authorized authorities of the Commonwealth of Pennsylvania for the area and market to which such milk or cream is so diverted and sold

Section 3 The Milk Compact Commissiononer in the event of his temporary physical inability to perform any of the duties imposed upon him by this Act shall designate a deputy to act for him and in his behalf

Section 4 The Milk Compact Commissioner shall make such reports to the Governor of the Commonwealth relating to the duties performed hereunder as shall from time to time be requested by the Governor

Section 5 When and if an agreement and compact shall be agreed upon by and between the legally constituted authorities of the States of Pennsylvania New York New Jersey and Vermont and Massachusetts if it chooses to join such compact it shall be the duty of the Pennsylvania Milk Compact Commissioner hereinbefore designated to transmit such agreement or compact to the Governor of this Commonwealth and if the Governor shall determine that the same conforms to the intent purpose and requirements of this Act he shall so certify and transmit or may join with legally constituted authorities of the other states that are parties to such compact in transmitting the same to the Congress of the United States requesting the consent of the Congress thereto in conformity with the provisions of Article 1 Section 10 Clause 3 of the Constitution of the United States

Section 6 This Act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tarr,
Becker,	Frazier,	Letzler,	Taylor,
Berger,	Geltz,	Lord,	Tyler,
Blass,	Haluska,	Mahany,	Wade,
Carr,	Hare,	Rahausser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Klein,	Stiefel,	Wood, T. N.,
Donlan,	Lane,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 850, as follows:

An Act to further amend clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P L 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee and original member to include certain employees paid on a per diem or hourly basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P L 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P L 202) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employees of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who im-

mediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

The term "State Employee" shall also include state officers and employees regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final

* * * * *

9 "Original Member" of the retirement association shall mean a state employee who was at any time a state employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of "State Employee" has been changed so as to include additional persons not previously classed as state employees if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he elects to become an "original member"

Any such state employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a

member of the retirement association when the retirement system was established

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the persons employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two year period for which records are available

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owning and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his state annuity shall be reduced by an amount equivalent to the reduction which occurs in the members' annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

10 "new member" of the retirement association shall mean a state employe who shall have become a member of the retirement association at a date subsequent to the thirty-first day of December one thousand nine hundred twenty-four or who upon becoming a member subsequent to December thirty-first one thousand nine hundred and twenty-four elected or hereafter elects not to make back payments and in the case of a judge shall mean any judge who was not an original member and who is elected reelected or appointed to the office of judge subsequent to the second Monday of January one thousand nine hundred and thirty any person who became a state employe as herein defined subsequent to December thirty-first one thousand nine hundred and twenty-four when he or she became such "state employe" Upon payment to the retirement association of a sum equal to all back payments which such person would have made had he or she become a member at the date of becoming a "state employe" Any person who became a state employe as herein defined prior to January first one thousand nine hundred and twenty-five may become a "new member" as of January 1st one thousand nine hundred and twenty-five upon payment to the retirement association of a sum equal to all back payments which such person would have made had he or she become a state employe and a member on January first one thousand nine hundred and twenty-five

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the persons employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two year period for which records are available

Such back payments may be spread over a period of years by having the regular payroll deduction of such person increased for not less than one-third of the amount thereof which deduction increases shall be credited to such back payments owing which shall be continued until the amount thereof shall be paid in full unless such

member is retired under the provisions of this act before such back payments have been completed any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

* * * * *

13 "Prior Service" shall mean all service as a state employe completed not later than the thirty-first day of December nineteen hundred twenty-three and in the case of judges or other persons who by amendment to this act become "state employes" shall mean all service completed prior to the date of becoming eligible to be a member of the retirement association

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homscher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 851, as follows:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments

boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the exten of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission who receives an hourly or per diem wage shall be entitled to one day's leave of absence with pay for each two hundred (200) hours such employe shall work This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Saturdays Sundays and legal holidays

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,

Frazier,
Geltz

Lord,
Mahany,

Tarr,
Taylor,

Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Haluska
Hare,
Heyburn
Holland
Homsher
Jaspan
Kephart,
Klein,
Lane,
Leader,
Letzler,

Mallery,
Margle,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 932, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital is hereby authorized to acquire in the name of the Commonwealth of Pennsylvania by purchase or condemnation proceedings any or all of the following described tracts of real estate in Susquehanna Township in the County of Dauphin Pennsylvania

(1) Tract "A" consisting of approximately twenty-eight (28) acres located adjacent to the Harrisburg State Hospital bordered on the South by the said hospital on the West by the said hospital on the North by a macadam road leading from North Eleventh Street to Progress Road and on the East by Edgemont Road

(2) Tract "B" consisting of approximately eighty (80) acres is located immediately across the Progress Road and North of Tract "A" is bounded on the West by the Glen Gery brick yard property and property of Samuel Simon to Paxton Creek on the North by Paxton Creek and on the East by Tract "C" and property of W H Brightbill (Tract "C" at present owned by Hagy Brothers W H Brightbill property owned by the hospital) on the South by the Progress Road

(3) Tract "C" consisting of approximately ninety (90) acres is located immediately East of tract "B" and North of property of S M Brightbill (now owned by the hospital) It is bordered on the West by tract "B" (owned at present by Hagy Brothers) on the North by Paxton Creek and Hoppe Farms on the East by property of Sara Holtzman and Machan Brightbill on the South by property formerly owned by S. M. Brightbill (now owned by the hospital)

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Harrisburg State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth con-

ferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 604 Notice of Meetings of Members Written notice of every meeting of the members shall be given by or at the direction of the person authorized to call the meeting to each member of record entitled to vote at the meeting at least five days prior to the day named for the meeting unless a greater period of notice is required elsewhere in this act in a particular case Provided That cemetery companies may provide in their by-laws that in lieu of written notice they shall give at least five (5) days' notice of such meeting by advertising once in one newspaper of general circulation within the city borough or township where the cemetery is located and once in the legal journal published in the county if any and by posting a copy of the notice at least five (5) days prior to the day named for such meeting on the cemetery gates In all such cases where cemetery companies provide for notice by publication and posting it shall be unnecessary to give written notice of meetings to members of record entitled to vote at meetings and such notices by advertising and posting shall be effective as actual and not merely constructive notice of meetings When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting other than by announcement at the meeting at which such adjournment is taken unless otherwise provided in the by-laws

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the in-

corporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page one, line one of the title by inserting after the word "fifteen" the following: "and clause (A) of section six hundred twenty-one point one."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1040, as follows:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the Ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Joint Commission created under the authority of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the power and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new com-

mission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" and a similar act of the State of New Jersey is hereby directed to exercise its function in effectuating the purpose of Article I paragraph (g) of the compact authorized by the aforesaid act which reads as follows "(g) The promotion of increased commerce on the Delaware River both freight and passenger and for this purpose the publication of such literature and adoption of such means as may be deemed appropriate" and in addition thereto to formulate a specific action program for the following purposes

(a) The promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce

(b) The making of recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce on the Delaware River

(c) The making of a report on any other factors which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion of the development of ports along the Delaware River and the use by commercial vessels of their facilities

(d) The investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and making of such studies surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication

(e) The conducting of an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay

(F) The exercising of any or all other lawful function delegated to the commission by the compact under which it operates pertaining to the development of port and transportation facilities

Section 2 The said Delaware River Joint Commission shall proceed without delay to study these problems in their entirety in cooperation with the Interstate Commission on the Delaware river basin also an agency of the Commonwealth of Pennsylvania and the state of New Jersey and of the states of New York and Delaware and shall submit a comprehensive report thereon to the governor at the earliest practicable date and in no case later than the first day of February one thousand nine hundred forty-nine as well as such interim reports either upon individual items of the program or the program as a whole as may be advisable and appropriate

Section 3 For the purpose of carrying out the survey provided for in this act the sum of sixty-five thousand dollars (\$65,000) is hereby appropriated to the Delaware River Joint Commission which sum only shall become available and be used in the event of the unavailability of other funds of the commission and provided the state of New Jersey has made a like appropriation to the commission for the same purpose

Section 4 It is the legislative intent of this act that the authorized programs shall be initiated at the earliest practicable time and prosecuted with the utmost dispatch

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

rr,	Frazier,	Lord,	Tarr,
cker,	Geltz,	Mahany,	Taylor,
nger,	Haluska,	Mallery,	Tyler,
ss,	Hare,	Margie,	Wade,
7,	Heyburn,	Rahausser,	Wagner,
apman,	Holland,	Rosenfeld,	Walker,
der,	Homsher,	Ruth,	Watson,
owe,	Jaspan,	Scarlett,	Wilson,
nt,	Kephart,	Snowden,	Wolfe,
Silvestro,	Klein,	Stevenson,	Wood, L. H.,
ehla,	Lane,	Stiefel,	Wood, T. N.,
mlan,	Leader,	Tallman,	Woodring,
rell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1098, as follows:

Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as defendant children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-four (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to [enable them to maintain] provide for themselves and their dependents a

decent and healthful standard of living and for indigent homeless or transient persons. The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State or Federal funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

"Public Institution" means one operated by any political subdivision the Commonwealth of Pennsylvania or the United States of America

The masculine pronoun includes the feminine

Section 2 Section nine of said act as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1205) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and this Commonwealth or any political subdivision thereof charged with the granting of public assistance may do so without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one (1) year such person shall only be entitled to receive public assistance if he or she was formerly a resident of a state which grants public assistance without regard to the period of time he or she has resided therein Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home l, and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child]

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution except those persons who are physically infirm or chronically ill and who were not on the effective date of this act residing in

public institutions for the physically infirm or chronically ill and thereafter voluntarily enter such public institutions (except institutions for mental or tubercular diseases) Provided That a resident of such an institution shall be eligible to receive assistance only when the facilities and their operation are in conformity with minimum recognized requirements for safe-guarding health safety and comfort and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars (\$500.00) or upwards without fair consideration within two years preceding the date of making such application or has not at an earlier time take such action for the purpose of establishing eligibility for public assistance

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person [(5)] (4) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars (\$40) per month Provided That any blind person with an actual income of twelve hundred dollars (\$1200) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5000) is not entitled to such pension And provided further That where a blind person has an income of less than twelve hundred dollars (\$1200) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed twelve hundred dollars (\$1200) a year No person shall be denied a pension because of the fact that he or she is not citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to noncitizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Other persons who [are citizens of the United States and who have a settlement in Pennsylvania and all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and who have a legal settlement in Pennsylvania and] need assistance [to enable them to maintain for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity] and are not inmates of a public institution except those persons who are physically infirm or chronically ill and who were not in the effective date of this act residing in public institutions for the physically infirm or chronically ill and thereafter voluntarily enter such public institutions (except institutions for mental or tubercular diseases) Provided That a resident of such an institution shall be eligible to receive assistance only when the facilities and their operation are in conformity with minimum recognized requirements for safeguarding health safety and comfort

(e) Any person within any group defined in this section who has settlement in the Commonwealth or a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement

Section 3 All acts and parts of acts to the extent that the same are inconsistent with this act are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1099, as follows:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1917) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property or poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1917) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 402 Care of Persons Referred by Department of Public Assistance The local authorities shall have power to care for any dependent or other indigent person in the county or city who is referred to them by the Department of Public Assistance or by a local board under its supervision pending the determination of such person's legal settlement Where institutions operated by the local authorities of any institution district provide care for the physically infirm or chronically ill such local authorities shall require payment in any amount not to exceed the annual per capita operating and maintenance costs (exclusive of such items as capital expenditures depreciation and interest on indebtedness for capital expenditures) of such care from those persons who are able to pay or who receive assistance or other moneys from public or private agencies Provided That the facilities and their operation are in conformity with minimum recognized requirements prescribed in the standards rules and regulations of the Department of Welfare for safeguarding health safety and comfort

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Komsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premium paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I think that this bill was improperly amended in committee and I therefore ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10, by striking out the bold-face bracket after the word "of" and before the word "one-half". Amend Section 1, page 3, line 10, by striking out the bold-face bracket after the word "of" and before the word "the".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1333, as follows:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boardst of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative de-

partments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 508 * * * * *

[(b) The Department of Property and Supplies shall make at least once every two fiscal years a survey of all buildings equipment land improvements connected with and comprising each State institution After making any survey the Department of Property and Supplies shall prepare a report setting forth in detail the results of the survey including the needs of such institution with respect to the maintenance of and repair improvements alterations and additions to its buildings land and equipment The Department of Property and Supplies shall file a copy of such report with the Governor and the department or departmental administrative board having supervision or control of the institution Such reports shall be used so far as practical as a guide in formulating the biennial budgetary requests for appropriations for the maintenance of and repairs improvements alterations and additions to the buildings lands and equipment of State institutions]

(b) The Department of Property and Supplies shall from time to time inspect all buildings equipment land and improvements connected with and comprising each State institution in order to ascertain whether such buildings equipment land and improvements are being properly maintained and the need for repairs improvements alterations and additions to such buildings equipment and lands

The Department of Property and Supplies shall be responsible for the maintenance in good order and repair of all buildings equipment land and improvements and shall formulate its biennial budgetary requests for appropriations for maintenance of and repairs improvements alterations and additions to the buildings lands and equipment of State institutions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL INTRODUCED AND REFERRED

Mr. FRAZIER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER read in place and presented to the Chair Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; imposing duties on county assessing authorities, boards of revision of taxes, receivers of school taxes; imposing duties on and providing for compensation to certain county treasurers; and providing penalties.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA from the Committee on Highways, reported as committed, House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of titles

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE from the Committee on State Government, reported as committed, Senate Bill No. 833,

An Act to further amend section one of the act, approved the seventeenth day of April, one thousand eight hundred ninety-three (P. L. 21), entitled, as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the appointment and salaries of stenographers and clerks.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix fees to be charged by coroners in counties of the second class" increasing fees to be charged

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 12, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend sec. 2, page 2, line 15, by striking out the words "or non-profit"

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of the first class providing for the appointment of a chief ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 77 on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipi-

pal corporations) subject to regulation the cost of administering this act prescribing and regulation practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 173, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields; the financing, administration and other features of collegiate institutions; prescribing the powers and duties; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act establishing the salary of the prothonotary in counties of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 553, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within the Commonwealth" increasing the compensation of county auditors

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and adsectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 602, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgages lien holders and other encumbrance holders

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and for other necessary expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial worker and others

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 734, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries, fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignments, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister and important historical shrine belonging to the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second

third four fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstone at the graves of deceased service persons and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances and defining year of service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 768, on second reading, entitled:

An Act to repeal sections two and three of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635) entitled, "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 770, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 776, entitled:

An Act making an appropriation to the Department of Public Instruction to establish an experimental program in the education of the deaf and hard of hearing children in their local environments administered and supervised by the Department of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 776, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 777, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the

violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 802, entitled:

An Act to further amend section two of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriations which may be made for agriculture extension work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use of as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-

Barre Luzerne County Pennsylvania containing approximately fifty-one acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 831, entitled:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties providing for a Director of Public Safety and defining his powers and duties defining the scope of existing safety agencies and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 831, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 873, entitled:

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further defining substitutes and regulating their employment; and further providing for reimbursement of school districts employing substitutes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the election and terms of councilmen in cases of invalid elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN| Mr. President, I ask unanimous consent that House Bill No. 1013, on second reading, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act approved the seventh day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for relisting for certain licenses.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1043, on second reading, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory, or

correctional institution, hospitals for the insane, or any institution for the feeble minded, or epileptic persons, for inebriates, or for juvenile delinquents, and dependents maintained in whole, or in part, by the Commonwealth, or any county within the Commonwealth, who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," increasing the compensation of township auditors.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial Agricultural School Downingtown Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department acting as purchasing agent for the Department of Highways

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 139) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania and authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public road and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct

alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeoman (female) and nurses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education and research

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1332, entitled:

An Act to establish in cities of the first class a house of detention for delinquent dependents and neglected children up to eighteen years of age and providing for the management and the maintenance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1336, entitled:

An Act making an appropriation to the Berean Manual Training School, at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1178 CALLED FROM SECOND READING POSTPONED CALENDAR

Mr. MALLERY. Mr. President, I call from the Second Reading Postponed Calendar, House Bill No. 1178, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain condition to appropriate moneys to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend Sec. 1 (Sec. 617.1), page 2, line 12, by inserting after the figure "617.1" the following: "(a)"; Amend Sec. 1 (Sec. 617.1), page 2, lines 12 and 13, by striking out the words "or outdoor athletic stadium or stadia"; Amend Sec. 1 (Sec. 617.1), page 3, lines 5 and 6, by striking out the words "or athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system"; Amend Sec. 1 (Sec. 617.1), page 3, line 9, by striking out the words "or athletic stadia"; Amend Sec. 1 (Sec. 617.1), page 3, line 12, by striking out the words "or athletic stadia"; Amend Sec. 1 (Sec. 617.1), page 3, by inserting after line 16, the following:

(b) The board of school directors of any school district shall have power to enter into a contract of lease and release with any nonprofit corporation established for the purpose of erecting athletic stadia, including adequate equipment for the athletic field connected therewith as well as fence enclosures and lighting systems therefor, for the use of the school district, under which contract the school district shall lease land owned by it to the nonprofit corporation for the purpose of erecting thereon an athletic stadium including adequate equipment for the athletic field connected therewith as well as fence enclosures and lighting systems therefor, for the use of the school district and the school district shall lease the same from the nonprofit corporation at a stated rental, payable only on

the proceeds of the gate receipts and rentals for the use of such facilities, with the right in the school district to renew such lease at stated periods at a stipulated rental, and at any time during the continuance of the lease to purchase the improvements from the nonprofit corporation at a stipulated price. No such contract of lease and release shall be entered into until the entire project has been submitted to and approved by the Department of Public Instruction in writing. Such approval shall include specifically: (1) Approval of purpose for which improvement is intended. (2) total cost of improvement. (3) amount of rental. (4) period of time for amortization, and (5) a stipulation that no money of the school district other than that received from gate receipts and rentals for the use of the improvements shall be used in making any payment of rental or purchase price. Upon completion of the improvements, the school district shall take over and operate the same, and shall collect all gate receipts and entrance fees and all rentals for the use of the improvements; and shall keep the same in a separate fund, apart from all other moneys of the school district. Such fund, until title to the improvements has been obtained by the school district, shall be used only for the maintenance and operation of the stadium and other improvements and for the payment of rentals and purchase price of such improvements.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that House Bill No. 1178, on second reading, go over to its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 193 CALLED FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call from the Second Reading Postponed Calendar, Senate Bill No. 193, for consideration at this time.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 193, entitled:

An Act relating to judgments; providing for the lien hereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FIRST READING CALENDAR

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 834, entitled:

An Act relating to the public school system prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents superintendents of special education supervisors of agriculture supervisors of homemaking and district superintendents providing for reimbursement by the Commonwealth and for reimbursements by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing inconsistent legislation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Judiciary General re-reported as amended, House Bill No. 93, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

He also, from the Committee on Judiciary General, re-reported as amended, House Bill No. 92, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 779, entitled:

An Act to amend section one of the act, approved the fifteenth day of March, one thousand nine hundred eleven (P. L. 20), entitled "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by further providing what evidence is or is not admissible.

BILL INTRODUCED AND REFERRED

Mr. TARR. Mr. President, I am about to present to the Chair a bill but before doing so I desire to make a short statement.

Mr. President, due to the fact that we are nearing the end of the session, and that conditions as they have prevailed in the Commonwealth of Pennsylvania, and especially during the present session of the Legislature, have come to the place where we know not whether we are talking about things that are constitutional or

whether they are conflicting with those things that are provided for in the Constitution, I am about to present to the Chair a bill relating to the adoption of an amendment to the Constitution of the Commonwealth by placing before the electorate of Pennsylvania whether or not we shall call a Constitutional Convention.

Mr. President, being a freshman in this Senate, I deem it a very great honor and a privilege to be able to present to the Chair a bill which, if enacted into law, will become one of the greatest pieces of legislation passed by this or any other legislative body.

Mr. TARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TARR read in place and presented to the Chair Senate Bill No. 853, entitled:

An Act relating to the preparation of amendments and revisions to the Constitution of the Commonwealth by a convention and their adoption or rejection by the people providing for the nomination of delegates to the convention and for their election and also for a vote by the electors on the question of calling such a convention and making an appropriation.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEES

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER from the Committee on Labor and Industry, reported as committed, House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," further regulating dust hazards.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Judiciary General, reported as committed, Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County; and repealing certain acts inconsistent herewith.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County; and repealing certain acts inconsistent herewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 149, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge over the Susquehanna River at Retreat State Hospital Retreat Luzerne County to provide the necessary approaches thereto and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 207, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of non-payment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" terminating certain obsolete provisions and providing for salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article I of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of the Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, police officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 447, entitled:

An Act to further amend section two hundred thirteen and subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the catching possession and sale of bait fish and raising the license fee and increasing the length of time covered by tourist fishing licenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen, and three hundred twenty-one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 643, entitled:

An Act to amend Sections four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated furbearers and changing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the Board with the approval of the commission or by the commission with the approval of the Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions

upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

An Act to further amend Section 1103 of the Act approved the 9th day of April 1929 (P. L. 343) entitled "An Act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement of other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure relative to petitions for review.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38-1933-34) entitled "An act imposing State taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling, or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors; providing for the collection of the taxes, and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors; authorizing refunds or exemptions in certain cases, and making an appropriation therefor; and providing penalties", by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 779, entitled:

An Act to amend section one of the act, approved the fifteenth day of March, one thousand nine hundred eleven (P. L. 20), entitled "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by further providing what evidence is or is not admissible.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 781, entitled:

An Act to further amend Section 4, of the Act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by further regulating the procedure for filing petitions for reassessment, petitions for review and appeals to Court and collection of delinquent taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 782, entitled:

An Act to amend the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generations of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1784), entitled "An act concerning newspapers; creating uniformity in the publication of legal notices and advertisements; defining the newspapers in which official and legal advertising shall be published; prescribing methods for computing the charges therefor, and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings," by providing that involuntary suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike, the Eastern Extension and the Western Extension, or any two thereof, for financing purposes under the provisions of this Act; authorizing the issuance of Turnpike revenue bonds of the Commonwealth payable solely from tolls, to pay the cost of the Eastern Extension and the Western

Extension; paying the cost of the Eastern Extension, or the cost of the Western Extension, or the cost of both, and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved, or under the provisions of this act, and which shall then be outstanding, including the payment of any redemption premiums thereon; refunding any revenue bonds, or revenue refunding bonds, heretofore issued under the provisions of this act, including the payment of and redemption premiums thereon; authorizing the Commission to fix tolls from time to time for use of the projects so combined; providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures, and a facsimile of the official seal of the Commission, upon any bonds issued under the provisions of this act, or any other act authorizing the issuance of bonds for the payment of the construction of any Turnpike; and giving certain definitions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend section one of the act, approved the seventeenth day of April, one thousand eight hundred ninety-three (P. L. 21), entitled, as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the appointment and salaries of stenographers and clerks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act, approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," by further regulating the payment of such moneys into the State Employees' Retirement Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," changing the definition of private trade school and providing for the licensure of agents of such trade schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1111, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further defining "Dealers" and "Owners;" changing certain fees; further regulating the registration, titling, equipment, license plates and size of certain vehicles, and the licensing of operators; prescribing additional enforcement and penal provisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration to certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the definition of "dealer" and adding the definition of "fleet owner"; and further providing for fees for certificates of title.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing that name registrations shall automatically expire if the registrant has not become incorporated within six months, requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, June 5, 1947, at 12:00 o'clock, M., Eastern Standard Time.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:42 o'clock, p. m., Eastern Standard Time until Thursday, June 5, 1947, at 12:00 o'clock, M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 4, 1947

The House met at 12:00 noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Doctor W. H. Russell, pastor of St. John's Primitive Methodist Church, Hazleton, Pennsylvania, the guest of the Honorable John J. Mikula, offered the following prayer:

Almighty God, Heavenly Father, we would be very reverent for just a moment as we address Thee. We feel it to be very fitting that we should just tarry in our hurried and busy lives to call upon Thee and to thank

Thee for all the good things Thou hast been doing for us. We thank Thee for the wonderful heritage of our belief in Thy Fatherhood. Every last one of us believe in all the mercies and the blessings in life, that they come from Thy hand, and we all feel that Thou art worthy of our praise and worthy of our gratitude and we offer our praise and our gratitude right now for all that Thou hast done for us.

We want to thank Thee this afternoon, our dear Father, for this great country of ours. We thank Thee for what it has meant and what it means in the world today. It seems sometimes that the eyes of the world are turned this way and they are asking what America is doing, and with Thy help, Oh God, may we set the right kind of example for the world. We thank Thee for this great country of ours, and how much it has meant to thousands and millions of people and what it means to us today. We ask Thy richest and continued blessings to rest upon us. We thank Thee for the President of the United States, we thank Thee for the Governor of our state, we thank Thee for what Thou hast done for them, and we pray that Thy richest blessing will rest upon them.

And now, this body of men, dear Father, who think of the enormous tasks that they are assigned to handle, and we ask, dear Father, that they shall not approach this task each in his own strength to master these things and solve these problems, but that they will be persuaded to ask Thee for wisdom and help to carry on the affairs of our State.

We pray Thee, Oh God, that Thou wilt hear us. May their actions, may their doings here meet with Thy approval. We do believe, everyone of us, our dear Father, that we shall have to give an account of our actions, and that these men will have to give an account of their actions here, and may it be said, dear Father, that when they come to face Thee, that their actions will meet with Thy approval.

Now, be with us as we go to our several communities, keep us all very close to Thee, so that when we finish our task on earth we shall all go to the place that Thou hast provided for those who love Thee. And we will ascribe to Thee all glory and praise today and evermore. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, June 3, 1947.

The Clerk proceeded to read the Journal of Tuesday, June 3, 1947, when, on motion of Mr. WHEELER unanimously agreed to, the further reading was dispensed with and the Journal approved.

The SPEAKER. The Chair requests the gentleman from Dauphin, Mr. Tittle, to preside.

Mr. TITTLE IN THE CHAIR

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 387.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

Referred to the Committee on Appropriations.

SENATE BILL No. 455.

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

Referred to the Committee on Appropriations.

SENATE BILL No. 479.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing building at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act.

Referred to the Committee on Appropriations.

SENATE BILL No. 558.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriations Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act.

Referred to the Committee on Appropriations.

SENATE BILL No. 596.

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanitarium.

Referred to the Committee on Appropriations.

SENATE BILL No. 597.

An Act to amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and

consolidating the laws relating thereto" removing the indigent persons in certain tuberculosis sanitarium.

Referred to the Committee on Appropriations.

SENATE BILL No. 654.

An Act to reenact section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to survey real estate held by such corporations".

Referred to the Committee on Judiciary.

SENATE BILL No. 717.

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

Referred to the Committee on Appropriations.

SENATE BILL No. 778.

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Referred to the Committee on Welfare.

SENATE BILL No. 783.

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and ap-

peals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions every person, association, and corporation required to pay, assess, or collect taxes, or to make returns of reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for resettlement, review and appeal in certain cases of domestic bonus disputes.

Referred to the Committee on State Government.

SENATE BILL No. 784.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Referred to the Committee on Appropriations.

SENATE BILL No. 786.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

Referred to the Committee on Appropriations.

SENATE BILL No. 797.

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the use of certain revenues for the acquisition of bridges.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DAVISON.

RESOLUTION No. 59.

In the House of Representatives, June 3, 1947.

Whereas, The Commonwealth of Pennsylvania, since the birth of the Nation, has been a leader among the industrial states of the United States, and

Whereas, Because of its wealth of natural resources, its force of skilled and able workmen, its heavy population, its access to the commercial markets through its location, with access to the Atlantic Ocean, the Great Lakes, the Mississippi Valley, and nation wide rail transportation facilities, and the basic industries located within its borders, it offers to industry in general fundamental and important advantages which few, if any, other states can duplicate, and

Whereas, In order to maintain this position as an industrial leader it is incumbent that a study and investigation be made of the causes behind the decreasing number of new industries being established in the Commonwealth and the reasons for the failure of established industries to expand and modernize their plants in this State while they carry on such programs in their plants in other states, and

Whereas, although there have been many conflicting reasons advanced for this problem no comprehensive study of causes therefor has been made nor has any legislative program or other plan been presented to combat this trend, therefore be it

Resolved, That the Joint State Government Commission is hereby requested to make a comprehensive and thorough study and investigation into the cause and reasons for this movement of industry from the Commonwealth and the decrease in the number of new industries being established in the Commonwealth and to evolve from such study and investigation recommendations of a legislative program designed to attract the retention, expansion and growth of industry already located in the Commonwealth and the establishment of new industries therein, which recommendation shall be presented to the General Assembly at its next regular session.

Referred to the Committee on Rules.

By Messrs. WEISS and MILLS. RESOLUTION No. 60

In the House of Representatives, June 3, 1947.

Whereas, The minimum price of milk in the Pittsburgh area over a year ago was only fifteen and one-half cents a quart, and

Whereas, With permission of the OPA in June, 1946, the minimum price was increased to sixteen and one-half cents a quart. Within fifteen days after the OPA went out of existence, the State Milk Control Commission authorized an increase of such minimum price to nineteen and one-half cents per quart, and that price is still in effect at the present time, and

Whereas, The State Milk Control Commission, at a hearing held over two months ago was petitioned by the Pittsburgh milk dealers to authorize a decrease in the minimum price of one cent or of one and one-half cents per quart during the months of May, June and July, as during this period the Pittsburgh area is flooded with a surplus of milk, and

Whereas, The said Commission has authorized a reduction of the minimum price to eighteen cents in the Philadelphia and Harrisburg marketing areas, and

Whereas, A reduction in the price of milk as requested by the retail dealers of Pittsburgh would probably increase sales and permit the surplus to be taken up by the public, and further save consumers seven thousand dollars (\$7,000) daily in their food budgets, and

Whereas, Such reduction during the months of May, June and July would deter out-of-State producers from shipping their milk into Pennsylvania because of the existing high prices; therefore, be it

Resolved, That the House of Representatives urge the State Milk Control Commission to act immediately upon the Pittsburgh dealers' petition and authorize a reduction in the minimum price of milk in that area in conformity therewith.

Referred to the Committee on Agriculture and Dairy Industries.

REPORTS FROM COMMITTEES

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 763, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor,

and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing maximum per diem compensation of members of the State Civil Service Commission allowable in any one year.

Mr. LAYER from the Committee on State Government, reported as committed, House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervising corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," increasing the membership of the banking board and the number of appointments to that board by the Governor.

Mr. STONIER from the Committee on State Government, reported as committed, Senate Bill No. 22, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amounts which the counties will receive from the State for forest reserves.

Mr. GOODLING from the Committee on State Government, reported as committed, Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved, the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State

Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons.

Mr. PROPERT from the Committee on Baking and Building and Loan Associations, reported as committed, Senate Bill No. 373, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and offices imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

Mr. PROPERT from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 459, entitled:

An Act to add section B to section one thousand two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further limiting the merger, consolidation of conversion of building and loan associations in certain cases.

Mr. HALLER from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April

nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

Mr. STOCKHAM from the Committee on Highways, reported as committed, Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

Mr. DE LONG from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School".

Mr. HOOPES from the Committee on State Government, reported as committed, Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the

resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of receipts under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes.

Mr. FISS from the Committee on Highways, reported as amended, Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction, reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

Mr. TOOMEY from the Committee on State Government, reported as amended, Senate Bill No. 709, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing State employees; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "accumulated deductions," and further regulating withdrawal and payments thereof

BILLS ON FIRST READING

The following bills were read the first time pursuant to resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 763, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain department, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants

and employees of certain departments, boards and commissions shall be determined," increasing maximum per diem compensation of members of the State Civil Service Commission allowable in any one year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three, (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of act," increasing the membership of the banking board and the number of appointments to that board by the Governor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amounts which the counties will receive from the State for forest reserves

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian Gertrude Martin Rohrer as the State song of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commission and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act to add subsection B to section one thousand two of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dis-

solution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further limiting the merger, consolidation or conversion of building and loan associations in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" temporarily extending the suspension of the provisions thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Madden for Mr. COOK for the remainder of the week because of death in the family.

Mr. SCANLON for himself for tomorrow's session.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class

as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the compensation and raising the maximum compensation in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 978, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities of the third class or boroughs and regulating the proceedings pertaining thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1023, entitled:

An Act to further amend section five hundred and sixty-three as amended of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the budgetary control of all expenditures and designating the funds that may legally be expended during the fiscal year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 169, entitled:

An Act authorizing the arbitration of death taxes when there are conflicting claims as to the domicile of the decedent, and making uniform the law relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 170, entitled:

An Act authorizing the compromise of death taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three, clauses (b) and (e) of section eight hundred fourteen, sections one thousand four hundred four and one thousand four hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating plans to merge and the merger of school districts, transportation and routes and contracts pertaining thereto and authorizing transportation of pupils on tours to points within the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highway and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line. Describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and order

the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Tittle, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 568, entitled:

An Act establishing the Port of Chester creating the Port of Chester Commission prescribing its powers and duties and making an appropriation

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 805, entitled:

An act to amend twenty-five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employees and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxable resi-

dent in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" increasing the salaries of members of the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 834, entitled:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employes of the office of the collector of taxes to become members of the city retirement system under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas over and terminer and general jail delivery quarter sessions of the peace County Court of Allegheny County and orphans' courts in counties of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1322, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 139, entitled:

An Act to add section nineteen point one to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by providing for the acceptance of said act by cities.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 240, Printer's No. 64

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 241, entitled:

An Act to amend Section 3 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by making provisions concerning the registration or transfer of securities to or by nominees of fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act to further amend section one thousand twelve and subsection C of section one thousand two hundred ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engaged in banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations as-

sociations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deed and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 383, entitled:

An Act to amend the title and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by further prescribing the powers of said licensees and the Secretary of Banking; and further regulating the granting of said licenses, and the loans charges, interest and refunds to be made or collected by such licensees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 491, Printer's No. 231

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporation with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, power duties, liabilities, and immunities of such corporations of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporation associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the court prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties and repealing certain acts and parts of acts," by further regulating the making of installment loans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 556, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 580, Printer's No. 426
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 626, entitled:

An Act to amend section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 644, Printer's No. 374 and
Senate Bill No. 680, Printer's No. 305
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,
Senate Bill No. 736, Printer's No. 370 and
Senate Bill No. 743, Printer's No. 371
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the ewtney-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILLS

Mr. SORG asked and obtained unanimous consent to extend the time five days on House Bill No. 641, Printer's No. 376, on page 18 of today's calendar, bill on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 214, as follows:

An Act to reenact and amend the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 18) entitled "An act authorizing during the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" extending the provisions thereof for an additional period of time and excluding therefrom cities and counties of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two and three of the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 18) entitled "An act authorizing during the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" are hereby reenacted and amended to read as follows

An Act authorizing [during the present war time emergency] for a limited time cities counties and other

political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Cities counties and other political subdivisions of this Commonwealth are hereby authorized [during the emergency arising out of present war conditions and] until the expiration of the fiscal year next following the [cessation of hostilities] expiration date of this act to pay to any officer (except officers elected by the people) employe or other person whose salary or wage is paid out of such treasuries and is or may be fixed and limited by any act of the General Assembly such compensation in addition to the amount fixed and limited by such act of the General Assembly as the council or other body having the power to appropriate money of such city county or other political subdivision of the Commonwealth may fix and determine Provided however that the provisions of this act shall not apply to any city or county of the first class

Section 2 All ordinances and other legislative acts of cities counties and other political subdivisions of this Commonwealth heretofore enacted authorizing the payment of such additional compensation and all payments heretofore made thereunder are hereby ratified confirmed and made valid

Section 3 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 2 All ordinances and other legislative acts of cities counties and other political subdivisions of the Commonwealth enacted authorizing the payment of such additional compensation and all payments made thereunder enacted or made between the thirty-first day of December one thousand nine hundred forty-six and the effective date of this act are hereby ratified confirmed and made valid

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for a period of two years from such effective date

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	wope,
Capano,	Hoffman,	Needham,	chl,
Cassidy,	Hoopes,	Neff,	homassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,

Jole,	Johnston,	O'Neill,	Turner,
Jooper,	Jones,	Orban,	Upshur,
Jordier,	Jump,	Patten,	Vaughan,
Josta,	Kean,	Petrosky,	Verona,
Jrowley,	Kelley,	Pichney,	Wachhaus,
Jague,	Kemp,	Pickens,	Wagner,
Jairymple,	Kent,	Polaski,	Waldron,
Javison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Jemech,	Kohl,	Propert,	Waterhouse,
Jennison,	Kratz,	Ragot,	Watkins,
Jepuy,	Krise,	Readinger,	Watson,
Jlx,	Kurtz,	Reagan,	Weidner,
Jye,	Laughner,	Reese, D. P.,	Weiss,
Jfenberg,	Layer,	Reese, R. E.,	Wescott,
Jlder,	Lee,	Reilly, J. M.,	West,
Jrb,	Leisey,	Reilly, W. J.,	Wheeler,
Jvans,	Livingston,	Richter,	Wolf,
Jwing,	Livingstone,	Riley,	Wood,
Jeola,	Loftus,	Robbins,	Worley,
Jish,	Lovett,	Robertson,	Yeakel,
Jlss,	Lyons,	Root,	Yester,
Jlack,	Madden,	Rose,	Yetzer,
J Fleming,	Madigan,	Rowen,	Young,
Joor,	Mazza,	Royer,	Lichtenwalter,
Jfrost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 551, Printer's No. 802 was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 610, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing a penalty for counterfeiting theft removal or transfer of certificates of inspection and providing for prosecutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VIII of the act approved the first

day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after section eight hundred twenty-three thereof two new sections to read as follows

Section 823.1 Theft of Certificates of Inspection It shall be unlawful for any person to steal remove or transfer to another such vehicle the official certificate of inspection issued for any motor vehicle trailer or semi-trailer under the provisions of section eight hundred twenty-three of this act or to steal any official certificate of inspection from any garage or from any other source whatsoever

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and cost of prosecution and in default of the payment thereof undergo imprisonment for thirty (30) days

Section 823.2 Counterfeiting of certificates of inspection it shall be unlawful for any person to counterfeit any official certificate of inspection

Penalty any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or to undergo imprisonment for a period not exceeding six (6) months or both

Section 2 Section one thousand two hundred one of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1201 Limitations of actions

(a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred provided however that where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prospective may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1

610.1 [and] 620 (J) and 823.1 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Sproul,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buccain,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 638, as follows:

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by prothonotaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay asses or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 611 Prothonotaries to Collect Tax on Writs Et Cetera The prothonotaries of the several courts of common pleas shall continue to be the agents of the Commonwealth for the collection of the tax on original writs on entries of amicable actions on writs of certiorari on entries of judgment by confession or otherwise and on transcript of judgments of justices of the peace or aldermen and shall be the agents of the Commonwealth for the collection of the tax on the filing of complaints by which an action is started as provided by law but they shall make their returns to the Department of Revenue and pay the amounts collected to the State Treasurer through the Department of Revenue as provided in this act

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Eienberg,	Layer,	Reilly, W. J.,	Wescott,
Elder,	Lee,	Reese, R. E.,	West,
Erb,	Leisey,	Reilly, J. M.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarrat,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of December next the several prothonotaries or clerks of the supreme court [of the courts of nisi prius] of the courts of common pleas [of the district courts] of the courts of oyer and terminer and general jail delivery of the courts of quarter sessions of the peace of the orphan's court or other court of record the registers of wills the recorders of deeds and notaries public in this commonwealth and all other officers of this commonwealth who are now or who may hereafter be required to render accounts of fees received by them as well as of the state tax on original writs complaints by which an action is started amicable actions writs of certiorari judgments by confession or otherwise transcripts of judgments deeds mortgages or any other instruments of writing letters testamentary and letters of administration shall make out and transmit to the [auditor general] Department of Revenue during the month of December in each and every year their respective accounts to be computed for the year ending with the thirtieth day of November then next preceding and shall pay over to the state treasurer through the Department of Revenue within the said specified time the several amounts that may be due to the commonwealth and any officer failing to render his account and make payment as herein required shall not be entitled to receive any commission on the same and the [auditor general] Department of Revenue shall charge such officer interest at the rate of twelve per cent per annum upon the amount due the commonwealth until paid

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,

Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 682, Printer's No. 787 and

House Bill No. 800, Printer's No. 761

were passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 896, as follows:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" providing a monthly expense allowance for members of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 999) is hereby further amended to read as follows

Section 1 Be it enacted etc That the salary of the members of the General Assembly shall be three thousand dollars (\$3000) for each biennial session and mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capital of the State The salary of the members of the General Assembly shall be five hundred dollars (\$500) and mileage as aforesaid for each special or extraordinary session lasting less than one calendar month and seven hundred and fifty dollars (\$750) and mileage as aforesaid for each special or extraordinary session lasting one calendar month or more and no other compensation shall be allowed whatever [except] each member of the general assembly shall re-

ceive an allowance for his expenses of one hundred dollars (\$100) per month payable monthly throughout the biennium and one hundred and fifty dollars (\$150) in postage for each regular biennium session and fifty dollars (\$50) for each special or extraordinary session

Section 2 The expense allowance provided for by this act shall commence as of the first day of June one thousand nine hundred forty-seven

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Milhm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—1

Worley,

NOT VOTING—1

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1324, Printer's No. 769 and

House Bill No. 1325, Printer's No. 770

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 234, as follows:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing extsting laws" by further providing for the investment of funds by domestic societies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates or contributions paid by the members of the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes that would impair the valuation of certificates herein provided Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the [reserves] funds of life insurance companies and in securities of Federal Savings and Loan Associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall first be obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current

duties and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	McCosker,	McCormack,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dalrymple,	Kemp,	Polaski,	Waldron,
Davison,	Kent,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kline,	Propert,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Kratz,	Readinger,	Watson,
Dix,	Krise,	Reagan,	Weidner,
Dye,	Kurtz,	Reese, D. P.,	Weiss,
Efenberg,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Relly, J. M.,	West,
Erb,	Lee,	Relly, W. J.,	Wheeler,
Evans,	Lelsey,	Richter,	Wolf,
Ewing,	Livingston,	Riley,	Wood,
Feola,	Livingstone,	Robbins,	Worley,
Fish,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
For,	Madigan,	Royer,	Lichtenwalter,
Frost,	Mazza,	Sarrafi,	Speaker.

NAYS—0

NOT VOTING—2

Cook,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 393, as follows:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any corporation or any two corporations now formed or organized under the provisions of the ninth paragraph section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" namely "The maintenance of a society for beneficial or protective purposes to its members from funds collected therein" except fraternal benevolent charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system and insurance or relief associations formed by or for the exclusive benefit of employees of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association may be reincorporated or merged and reincorporated as the case may be as a life insurance company of the class known as limited life insurance companies for the purpose of making insurance either upon the stock or mutual principle upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes including endowment insurance in such amounts and upon such conditions as is now or hereafter may be provided by law in the case of limited life insurance companies provided however that any such corporation or any two such corporations may not reincorporate or merge and reincorporate as a limited life insurance company under this act unless such corporation or corporations are operating in compliance with the requirements of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law"

Section 2 Any such corporation or any two such corporations desiring to reincorporate or to merge and reincorporate as the case may be under the provisions of this act shall proceed in the following manner A meeting of the members of such corporation or of each such corporation shall be held and if a majority of the members of such corporation or corporations shall vote or authorize a vote in favor of the reincorporation or merger and reincorporation a resolution or resolutions to that effect shall be adopted and upon the recording of such resolution or resolutions in the office for the recording of deeds in county where such corporation or each such corporation has its principal office the directors of such corporation or the respective directors of such two corporations acting jointly as the case may be make articles of association as provided by law for the incorporation of insurance companies upon which articles shall be had and the same proceedings as provided by law for the incorporation of new insurance companies and upon the approval of said articles such corporation or corporations shall become a corporation under this act and all the estate and property real and personal rights of action liabilities and obligations of such former corporation or corporations shall be deemed and taken to be transferred to and vested in or attached to the corporation formed under this act without further act or deed Any corporation formed under this act shall be authorized to transact the business of insurance in the same manner and upon the same con-

ditions as insurance companies are by law authorized to do so far as not inconsistent with the provisions of law relating to limited life insurance companies

Section 3 Any corporation formed under the provisions of this act shall place reserves on the life portion contained in all policies issued based upon a standard table of mortality with interest at a rate of not more than three and one-half per cent (3½%) as approved by the Insurance Department of the Commonwealth and reserves shall be carried on the disability feature of fifty per centum of the actual weekly monthly or annual premiums in force and reserves shall be charged on all definite and outstanding incurred claims

Section 4 Capital stock of stock company formed under this act shall not be less than twenty-five thousand dollars and shall be divided into shares of not less than ten dollars each payment of which shall be made in lawful money ten per centum on each share at the time of subscribing and the balance at such times as the company may direct not exceeding one year from the time of subscription and the company may provide such rules with regard to forfeiture of partial payments on subscriptions as they may deem advisable which rules shall be binding upon the subscribers provided they are made known at the time of subscription Every such company shall in addition thereto have a surplus paid in at least equal to the amount of the capital stock

Section 5 The annual meeting for election of directors of any company formed under this act shall be held at such time on or before the first day of May as the by-laws of the company may direct and such notice of the time and place of meeting shall be given to the stockholders or members as may be provided in the by-laws and at such annual meeting the stockholders or members shall elect by ballot not less than five nor more than thirteen directors to serve for one year and until their successors are duly chosen Provided That at any annual meeting of the stockholders or members it may and shall be lawful to divide the directors which are to be chosen into two three or four classes and to elect the first class to serve for the term of one year and the second third and fourth to serve two three and four years respectively and at all ensuing elections of said company the stockholders or members shall only elect the number of directors necessary to take the place of those whose terms of office shall then expire and such directors shall be elected as hereinbefore provided And in case a vacancy or vacancies shall happen in the number of said directors the board of directors shall choose and elect a proper person or proper persons to fill such vacancy or vacancies during the remainder of the term or terms for which the person or persons in whose place or places such vacancy or vacancies shall have happened shall have been elected

Section 6 Any mutual company formed under this act shall be authorized to do the business of insurance when it shall have received from not less than two thousand persons applications for insurance against death amounting to not less than two hundred fifty thousand dollars upon which applications one-twelfth of the annual premium shall have been paid Provided That no such company shall be authorized to do the business of insurance until it shall have a guarantee capital of at least twenty-five thousand dollars and a surplus of at least twenty-five thousand dollars and until it shall have deposited with the Insurance Commissioner the sum of twenty-five thousand dollars in cash or approved securities which sum the Insurance Commissioner is hereby authorized and empowered to receive and it shall be his duty to hold the same for the benefit of the members of such corporation and its creditors preference being given thereto in the following order to wit first claims under policies second salaries of employees third general creditors

Section 7 This act shall become effective immediately upon final enactment and shall expire the thirty-first day of December one thousand nine hundred fifty Provided however that the expiration of this act shall not affect the corporate existence of any corporation formed under its provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	McCosker,	McCormack,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Milis,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snyder,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopea,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dairymple,	Kemp,	Polaski,	Waldron,
Davidson,	Kent,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kline,	Propert,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Kratz,	Readinger,	Watson,
Dix,	Krise,	Reagan,	Weldner,
Dye,	Kurtz,	Reese, D. P.,	Wells,
Efenberg,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Reilly, J. M.,	West,
Erb,	Lee,	Reilly, W. J.,	Wheeler,
Evans,	Lelsey,	Richter,	Wolf,
Ewing,	Livingston,	Riley,	Wood,
Feola,	Livingstone,	Robbins,	Worley,
Fish,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
Foor,	Madigan,	Royer,	Lichtenwalter,
Frost,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 394, as follows:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled

"An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof and changing certain capital and surplus requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) and as further amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 585) is hereby further amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act [Stock companies] Every company incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (Pamphlet Laws three hundred twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" or under any subsequent act authorizing certain existing incorporated beneficial or protective societies to reincorporate or to merge and reincorporate as limited life insurance companies having in the case of a stock company a [paid up] capital of not less than three hundred thousand dollars (\$300,000) and a [paid-in] surplus at least equal to fifty per centum of the [subscribed] capital or having in the case of a mutual company insurance in force in an aggregate amount of not less than one million dollars (\$1,000,000) on not less than four hundred persons and a surplus of not less than two hundred thousand dollars (\$200,000) may notwithstanding any limitation to the contrary established by any act of assembly or by the provisions of its charter issue policies insuring the lives of persons

and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Varallo,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Walton,
Davison,	Kirley,	Powers,	Waldron,
De Long,	Kline,	Price,	Wallin,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Awing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING —2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 and

Senate Bill No. 569, Printer's No. 343

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 710, as follows:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 967) is hereby further amended to read as follows

Section 320 Annual and Other Reports Penalties Every stock and mutual insurance company association and exchange doing business in this Commonwealth shall annually on or before the first day of March file in the office of the Insurance Commissioner a statement which shall exhibit its financial condition on the thirty-first day of December of the previous year and its business of that year and shall within thirty days after requested by the Insurance Commissioner render such additional statement or statements concerning its affairs and financial condition as the Insurance Commissioner may in his discretion require The Insurance Commissioner shall furnish to each of the insurance companies associations and exchanges blanks in such form as he may adopt for their statement and he may make such changes from time to time in the form of the same as shall seem to him best adapted to elicit from them a true exhibit of their financial condition Insurance companies of foreign governments doing business in this Commonwealth shall be required to return only the business done in the United States and the assets held by and for them within the United States for the protection of policyholders therein

Any company association or exchange which neglects to make and file its annual statement or other statements that may be required in the form or within the time herein provided shall forfeit a sum not to exceed one hundred dollars (\$100) for each day during which such neglect continues and upon notice by the commissioner its authority to do new business shall cease while such default continues

For wilfully making a false annual or other statement required by law an insurance company association or ex-

change and the persons making oath to or subscribing the same shall severally be punished by a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5000) A person who wifully makes oath to such false statement shall be guilty of perjury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Scerrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hoeker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kilne,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Welas,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION

RECALLING HOUSE BILL No. 1035 FROM GOVERNOR

Mr. CORDIER offered a resolution and asked and ob-

tained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 4, 1947

Resolved (if the Senate concur), that House Bill No. 1035, Printer's No. 649, entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties," be recalled from the Governor for further consideration and amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, into the midst of this short and business-like session, in which there have been so many happy developments and such unanimous and speedy and progressive agreement concerning policies upon the part of the majority, there must be an occasional unhappy note. I presume that the Majority Leader in the midst of his busy life, promoting a short and business-like session, has noted that some of his fondest visions have gone astray, and I sorrow with him because his trust in human nature must have been dealt such a bitter blow.

I remember well his standing upon the floor of this House and assuring us all that Pennsylvanians were so patriotic, so devoted to the common weal, the general good, and so desirous of contributing to the support of our institutions that never, no never would there be any Pennsylvanians who would buy their cigarettes outside of the state of Pennsylvania, And lo and behold! I find in his favorite newspaper, his journalistic bible—and I would observe and caution the Majority Leader that he should shift bibles—the Pittsburgh Press is much more dependable when it comes to sound reasoning and sound policy than the Philadelphia Inquirer. They are liable to lead him into all sorts of by-paths. But anyhow I find in his favorite newspaper, "Cigarette Tax Here Gives N. J. Boom" and lo and behold! in that same paper I find that the Goldwin Sales Company, Box 99, Jersey City, New Jersey, "Cigarettes, all Popular Brands, by mail \$1.40." Then Castin's Inc., 133 Parker Avenue, Passaic, New Jersey—you can take down these names, you fellows that want to scrouch your State. Then there is Peck Cigarette Service—that is in Haddonfield, New Jersey, and Colonial Trading Company, Trenton, New Jersey; and the Garden State Mail Order Company, that is in Jersey City. They will all sell you cigarettes tax free, and apparently lots of people are falling for the game because I understand they have to wait for thousands of orders to be filled. Again I say to the Majority Leader that I sorrow for him because of the blow dealt to his confidence in Pennsylvania human nature.

PERMISSION TO ADDRESS HOUSE

Mr. SORG asked and obtained unanimous consent to address the House.

Mr. Speaker, I still have a great deal of confidence in

human nature. And in this short business-like session, I will admit that I find it much, much more human, but I am sure that in our trust in human nature we have only made one step farther than the party represented by the gentleman who so ably initiated the tax and possibly got the New Jersey mail order houses started originally.

PUPILS OF LINCOLN SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have as guests this afternoon a delegation of pupils from the Lincoln School of Chester, Delaware County; under the direction of Miss Louise Baker, Miss Elsie Rohrman and Miss Margaret Gallagher.

They are the guests of the Delaware County delegation.

RESOLUTION

RECALLING HOUSE BILL No. 1173 FROM GOVERNOR

Mr. ELDER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 4, 1947.

Resolved (if the Senate concurs), that House Bill No. 1173, Printer's No. 650, entitled "An act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled 'An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act' by extending its provisions to include shrubs and vines under certain circumstances," be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. There will be an important Caucus of the Republican Members in the new House Causus Room immediately after recess.

If there is no objection, the Chair will now declare a recess until 2:00 o'clock Eastern Standard Time. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McMILLEN asked and obtained permission for the Committee on Aeronautics to meet during the session of the House.

Mr. GUGER asked and obtained permission for the Committee on Welfare to meet during the session of the House.

RESOLUTION

CERTIFIED COPY OF SENATE BILL No. 189

Mr. McKINNEY offered a resolution and asked and

obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 4, 1947.

Whereas, Senate Bill No. 169, Printer's No. 28, entitled "An act to amend section one of the act, approved the ninth day of April, one thousand nine hundred forty-five (P. L. 164), entitled 'An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Service-men's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents, guardians and trustees of such minors from any liability therefor unless joining therein,' authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority," the official copy of which was referred by the Speaker to the Committee on Judiciary, on March 12, 1947, has been lost; therefore be it

Resolved, That the Chief Clerk of the House is hereby directed to request the Chief Clerk of the Senate to furnish to the House for the Committee on Judiciary, a certified copy of Senate Bill No. 189, which copy shall be substituted for the original, for consideration of the Committee on Judiciary.

Signed JOHN H. McKINLEY,
Chairman of the Committee on Judiciary

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for Concurrence 88, 106, 437, 758, 760, 771, 230, 280, 361, 677, 678, 723, 775, 801 and 807.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLEMING ask and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 195.

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 1, 2, 3 and 4 by striking out after the word "Employer" the following "includes any person natural or artificial acting directly or indirectly in the interest of any employer in relations with an employee" and inserting in lieu thereof the following: "shall mean any one who employes employees".

Amend Section 2, page 2, after the line 15 by inserting the following:

Provided however that nothing herein contained shall prohibit a variation in salary or wage rates based upon either difference in seniority experience training skill or ability or difference in duties and services performed either regularly or occasionally or difference in the shift or time of the day worked or difference in availability for other operations or any other reasonable differentiation except difference in sex and provided further that nothing herein contained shall prohibit a variation in salary or wage rates as between the sexes where the same is provided by a contract between the employer and the recognized bargaining agent of the employees

Amend Section 4, page 4, line 5 by inserting at the beginning of the line "wilfully and knowingly"; lines 9 and 10 by striking out after the word "employees" the following "for and in behalf of herself or themselves and other employees similarly situated"; line 19 by striking out after the word "action" the words "The secretary shall"; page 5, lines 1 and 2 by striking out the following "have power to join various claimants against the employer in one cause of action"; after line 5 by inserting the following:

(c) Any employee may directly or through his attorney agent or collective bargaining representative waive compromise adjust settle or release any claim which such employee may have under this act either before or after commencement of suit thereon and a waiver compromise adjustment settlement or release of any such claim by such employee or his attorney agent or collective bargaining representative shall be a complete satisfaction of such claim and a complete bar to any action based on such claim

Amend Section 7, page 6, line 10 by inserting after the word "who" the following words "wilfully and knowingly"; page 7, after line 2 by inserting the following:

No action shall be maintained to the extent such action is based upon any act done or omitted to be done in good faith consistent with or in reliance on any administrative regulation order ruling interpretation enforcement policy or practice notwithstanding that after such act or omission such order ruling administrative regulation interpretation policy or practice is modified rescinded or declared by judicial authority to be invalid or of no legal effect

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that this bill together with the message from the Senate be laid on the table. The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 826.

An Act relating to strikes by public employees prohibiting such strikes providing that such employees by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania labor relations board

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3 by inserting after line 4, the following: For the future purpose of equitably carrying out the provisions of this act in order to avoid or minimize

any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances the governmental agency involved at the request of the public employees shall set up a panel of three members one to be selected by the employees one by the governmental agency and the two so selected to select a third member the members of the panel shall be compensated at the rate of twenty-five dollars (\$25.00) per day together with all necessary traveling expenses the panel shall meet within fifteen (15) days of the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted if the conference negotiations do not result in findings satisfactory to all parties concerned the panel shall afford the public employees and the governmental agency a full hearing after which the panel shall make their findings copy of which shall be sent to the governor to the general assembly and to the head of the agency or political subdivision involved upon receipt of the findings of the panel the Governor or the head of the state agency or political subdivision involved may take administrative measures to remedy the complaints if the governor or the head of the state agency or political subdivision finds that the situation complained of can only be remedied by legislative action the governor may refer the matter to the legislature for correction or the head of the state agency or political subdivision may refer the matter to the proper law-making body if the members of the panel decide that legal counsel is necessary they may with the approval of the attorney general engage local counsel to advise them on the questions involved

Amend page 5, Section 2, line 6 by striking out the words "of this Commonwealth."

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 952.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend Section 1, page 4, line 18, by striking out the bracket before the word "Provided;" page 5, line 1 by inserting before and after the word "section" a heavy bracket and after the word "section" by inserting the word "subsection;" page 5, line 8 by striking out the bracket after the word "conditions;" same line by inserting after the word "conditions" the words "and that" and by inserting heavy brackets around the word "In" and the word "in;" page 5, lines 12, 13, 14, 15 and 16 by inserting after the brackets and letter "t" the following: "and provided further that the provisions of this subsection shall not apply in the event of a stoppage of work which exists because of a labor dispute within the meaning of subsection (d)"

Amend section 1, page 6, line 14, by striking out the word "suspension" and inserting in lieu thereof the word "stoppage;" line 15, by striking out after the word "work" the words "resulting from an industrial" and inserting in lieu thereof the following "which exists because of a labor;" line 17, by striking out after the word "employed" the word "as;" and by inserting after the word "continues" the following: "provided that this subsection shall not apply if it is shown that (1) he is not participating in or directly interested in the labor dispute which caused the stoppage of work and (2) he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs any of whom are participating in or directly interested in the dispute provided that if in any case separate branches of work which are commonly conducted as separate business in separate premises are conducted in separate departments of the same premises each such department shall for the purpose of this subsection be deemed to be a separate factory establishment or other premises

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1001.

An Act to provide that Labor Unions shall file certain statement and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend the title, line 2 by striking out the word "department" and inserting in lieu thereof the word "secretary".

Amend section 1, line 1, page 2 by inserting after the word "Industry" the following "after such persons or association of persons have been organized as provided by law".

Amend section 3, page 2, line 16 by striking out the word "him" in inserting in lieu thereof the word "it"; page 2, line 19 by striking out the word "He" and inserting in lieu thereof "the secretary of labor and industry"

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.
The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1076.

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend section 1, page 4, line 19 by inserting after the word "is" the word "not"; page 5, lines 1 and 2 by striking out after the word "place" the following: "being picketed while a strike is in progress affecting the place of employment" and inserting in lieu thereof the words "of employment".

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 2, line 14, by striking out after the word "employment" the word "or" and inserting in lieu thereof the word "and".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CHERVENAK. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Neff,	Swope,
Capano,	Hoffman,	Nelson,	Tahh,
Cassidy,	Hoopes,	Naumann,	Thomassy,
Chervenak,	Horan,	Needham,	Tompkins,
Chudoff,	Imbt,	O'Connor,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laugher,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Flash,	Lovett,	Robertson,	Yeakel,
Flass,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—2.

Cook. Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 477.

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of inmates and their probation or parole

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 8, by striking out the words "juvenile delinquents" and inserting in lieu thereof the word "inmates", same line by striking out the words "release or retention" and inserting in lieu thereof the words "probation or parole".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McCullough,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Myers,	Stuart,

Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Evans,	Layer,	Reese, R. E.,	West,
Efenberg,	Lee,	Rellly, J. M.,	Wheeler,
Elder,	Lelsey,	Rellly, W. J.,	Wescott,
Erb,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Lofthus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—2.

Cook, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 318.

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to attack such sales are instituted within one year after the effective date of this act.

Mr. SORG. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 673.

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to

county employment within five years to reinstatement upon fulfilling certain conditions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on State Government reported as committed, House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by further regulating the vacation leave and sick leave to which State employees are entitled with pay.

Mr. IMBT from the Committee on Aeronautics, reported as committed, Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

Mr. WALDRON from the Committee on Cities and County—Second Class, reported as amended, House Bill No. 653, entitled:

An Act relating to members of the bureau of fire in cities; providing subject to the approval of the electors for a three-platoon system for such members, with certain exceptions; regulating hours of service, hours of rest and annual vacation.

Mr. HELM from the Committee on Military Affairs reported as committed House Resolution No. 56.

Mr. McKINNEY from the Committee on Judiciary reported as amended, Senate Bill No. 545, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," fur-

ther providing for the jurisdiction of adoption proceedings, the contents of petitions, necessary consents, hearings, and decrees, and validating certain adoptions.

Mr. O'CONNOR from the Committee on State Government, reported as committed, Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

Mr. CORDIER from the Committee on Welfare, reported as committed, Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property of counties cities wards boroughs townships institutions districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions subdivisions certain powers and duties prohibiting counties cities wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institution used in the care and maintenance of indigent persons by certain political subdivisions.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by further regulating the vacation leave and sick leave to which State employees are entitled with pay.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in

which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property of counties cities wards boroughs townships institutions districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institution used in the care and maintenance of indigent persons by certain political subdivisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON THIRD READING

The SPEAKER. If there is no objection, the Chair will return to bills on third reading. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, as follows:

An Act declaring certain organizations groups or societies subversive and certain persons disloyal citizens or undesirable aliens within this Commonwealth and making it unlawful in certain cases for any person to assist aid or abet such subversive associations or such persons and making all persons violating this act ineligible to hold public office or public employment or office in certain other organizations or corporate bodies as well as subject to certain fines or imprisonment or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any organization group or society of persons incorporated or unincorporated domestic or foreign (other than a duly registered agency of a foreign government recognized by said United States) which declares or pledges its allegiance or the support of its members to any foreign government or political leader or organization or which teaches or advocates or attempts to cause a fundamental change in the form of government of said

United States by unlawful means or which has for one of its purposes or aims the ultimate seizure control or overthrow of said government or that of this Commonwealth by modes not prescribed by our constitution and legislation for the altering reforming or abolishing thereof but by means of force of arms and various forms of violence or which is under the jurisdiction of or dominated by any foreign group or organization having the aforesaid aims is hereby declared to be a subversive association and any person alien or citizen who is a member of any such subversive association or who knowingly assists aids or abets such an organization group or society in any manner hereinafter made unlawful is hereby declared to be an undesirable alien or a disloyal citizen of this Commonwealth

Section 2 No person shall knowingly assist aid or abet any subversive association above described after it shall have been held by any court of competent jurisdiction in this Commonwealth to be subversive as herein defined or to be under the jurisdiction or connected with a subversive group by knowingly signing any petition or paper in its behalf or making any public statement either printed written or verbal upholding such association or any of its known members unless it be done solely for the purpose of defending the civil liberties of such member or undesirable alien or disloyal citizen in any legislative or judicial proceedings inquiring into his alleged subversive activities no person shall contribute or pay to or for the use of any such subversive association any money or other valuable thing or solicit others to do so or to become members of supporters thereof

Section 3 It shall be unlawful for any person herein defined as a disloyal citizen or an undesirable alien or who shall have unlawfully assisted aided or abetted any organization group or society hereinbefore described as subversive to hold any public office or public employment or any office in any labor union guild or organization or in any fraternal beneficial educational patriotic political or veterans' organization within this Commonwealth or other organization or corporate body which is required by law to be chartered or registered by the Commonwealth or any agency thereof unless such person shall have voluntarily purged himself from all connection with such subversive association at least three years prior to entering upon such office or employment or official position

Section 4 Any person who violates any of the provisions of this act shall be guilty of a felony and upon conviction thereof for a first offense shall be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5000) or undergo imprisonment for a period of not more than ten (10) years or both

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWN. Mr. Speaker, this bill should not have the affirmative sanction of this Legislative body. I have conferred during the recess with the sponsor of this bill, the gentleman from Allegheny, Mr. Bender. He has stated his position and we have discussed the legal matters contained in the bill. I am informed by him that there will be no discussion of the bill on the floor of the House as far as interrogation is concerned, and I intend to keep that wish of the gentleman from Allegheny, Mr. Bender.

I should like, therefore, to make a few comments. First of all I realize that in a bill of this kind no statement on the floor of the House can change anybody's opinion, but I say to you, Mr. Speaker and Members of the House, this is one of the most dangerous pieces of legislation presented to this General Assembly.

In the first place this bill provides for penalizing what is known as a subversive organization. It defines and sets up certain definitions as to who are disloyal citizens and who may be declared undesirable aliens. There should be fresh in the minds of those who served here, the debate that was had some years ago as to how far Pennsylvania can go in determining who are aliens. We made that mistake in the alien registration act, wherein we attempted to legislate as to aliens. You will recall that the Supreme Court of the United States said that the Commonwealth had no authority to legislate in that field.

I submit to this House that we have no authority to legislate in the field of determining who are aliens and who are not aliens. If we do not have that authority it is hard for me to determine how we have authority to decide on who are undesirable aliens. In one section of this bill it provides "any organization, group or society of persons incorporated or unincorporated, domestic or foreign (other than a duly registered agency of a foreign government recognized by said United States) which declares or pledges its allegiance or the support of its members to any foreign government and so forth.

I suggest to this House that on yesterday we passed an appropriation bill in which we said that we would, if the Senate concurred, give twenty-five thousand dollars to the Commission on Liberia. Liberia is a foreign country.

Now, I submit we are not perhaps an organization, group or society of persons incorporated, but I am not so sure that if another organization would do the same thing, that organization would not be caught under this bill. As a matter of fact I asked the Majority Leader yesterday if he was certain under that bill, by making that appropriation to that foreign government, we of the General Assembly could not be construed as being subversive. I imagine he has an answer today, and I should like to hear that answer.

In the next place, there is a section of the bill which provides that a duly constituted court "shall determine,"—or a competent court of competent jurisdiction shall determine." I should like to ask someone in this House what is a court of competent jurisdiction so that we would know to which forum we should go for redress.

Let me read that section: "No person shall knowingly assist, aid or abet any subversive association above described after it shall have been held by any court of competent jurisdiction in this Commonwealth to be subversive—"

There is no court designated. Does it mean the Orphan's Court, does it mean the Common Pleas Court? There is no court designated. How can any litigant go into any court when there is no court designated in the bill.

There are other matters of form in the bill, but I am not going to speak on that. There is one prize article that I have not found in any study of criminal law that I have been able to get hold of, and I would like to read this section, section 3. It provides:

"It shall be unlawful for any person herein defined as a disloyal citizen or an undesirable alien or who shall have unlawfully assisted aided or abetted any organization group or society hereinbefore described as subversive to hold any public office or public em-

ployment or any office in any labor union guild or organization or in any fraternal beneficial educational patriotic political or veterans' organization within this Commonwealth or other organization or corporate body which is required by law to be chartered or registered by the Commonwealth or any agency thereof unless such person shall have voluntarily purged himself from all connection with such subversive association at least three years prior to entering upon such office or employment or official position."

I submit to this House, where is a man going to purge himself? Is he coming to the Legislature, is he going to church, is he going to court, or can he do it on the public square? Where is he going to purge himself? If we are going to carry a principle like this out in the law of this Commonwealth, then I suggest that any man in the land who commits a crime and doesn't know anything about it, who then goes out and purges himself, that we will excuse him. If we have a right to do it in one instance we have a right to do it in another.

I say to the Members of this House that this bill transgresses one of the most fundamental liberties we have; it transgresses on freedom and liberty of speech, freedom of assembly and freedom of the press. I say if Tom Paine were living today he would be the first one to fight this bill. But the one redeeming feature of it is if he were a member of the organization or society he might select the court to go to; he might select a justice of the peace because a justice of the peace is a constitutional court under the laws of the Commonwealth—because the bill does not designate what is a competent court under the laws of Pennsylvania.

There is another question that I shall submit, and I believe it is so serious that this bill should be referred back to Committee, and that is this: how can you convict an association of subversive activities when subversive activities are not defined in the bill with clarity and with certainty. The criminal law requires that before a man shall be convicted of crime he shall be confronted by witnesses to the crime with which he is charged and that the charge be stated clearly and in concise terms. I wish someone who knows anything about this bill would answer those questions. This bill should not have, as I said before, the affirmative sanction of this House of Representatives.

Mr. BENDER. Mr. Speaker, being a layman I naturally do not wish to discuss the constitutionality of this bill. I am perfectly satisfied to leave that up to the courts. I introduced the bill from bitter experience in the field of labor. In its attempts to purge the Communist party from contaminating our labor organizations and our patriotic organizations, I introduced this bill in all sincerity to stop the Communist movement in our Commonwealth before it is too late. If the Members of this House feel that this bill is a bad bill, let them indicate it by their vote. I personally am going to vote for it. If this bill fails today, members of the House, I don't want to come back here five or six or ten years from now because it will be too late.

Mr. GRIFFITHS. Mr. Speaker, there is one fundamental crime in this bill, as I think we all ought to understand. It is very clearly stated on page 3, three lines from the bottom, starting with line 7, that is "by unlawful means

or which has for one of its purposes or aims the ultimate seizure or overthrow of said government."

Now we are voting today on just one fundamental principle. Let us understand that clearly, and that is we are determining whether we will permit in the Commonwealth of Pennsylvania by unlawful means the overthrow of the government.

I say to you today that we know very well the principles of the communistic party, and I don't care whether they are connected with Russia or not, the principles are the same, and that is to overthrow the government. They work in an underhand way, they work subversively, they seek to undermine. They do not come out and declare their principles, but they work in such a way that we don't know they are working. It doesn't come out in the newspapers, but yet when things fail, and when strikes come, then the Communists come forward in their own way and say "Look, if you had been in Russia, or if you had had communistic principles this would not have happened." That's the way they work. Let us not be confused by a lot of talk on this bill. We are only voting on overthrow of government, mark you, and we are only voting on unlawful means to overthrow the government.

Now of course it will be difficult to convict these people, we recognize that; we know it is no easy task to do that, to prove a crime like that, but when we say that they shall be brought to a court of competent jurisdiction we don't have any trouble in defining court of competent jurisdiction. We all know that under the Constitution of Pennsylvania we have established courts, and any court is a court of competent jurisdiction if it is brought within the jurisdiction given to those courts.

The gentleman from Allegheny, Mr. Brown, says "shall it go to the Orphan's Court?" I am surprised that he says that. He knows that the Orphan's Court has only limited jurisdiction in certain cases such as decedents' estates and matters pertaining to minors. A court of competent jurisdiction in this case clearly would be the Court of Quarter Sessions of the county, where criminal cases are heard. Any lawyer knows that. We are here today to consider the fundamental principle, whether or not we are going to permit the communistic party to continue in their own way. I say to you that after the last war there have been overthrows of the government in Russia, in Japan, in Germany, in Italy and in Spain, all after the last war, World War number I, but we did not hear very much about the communistic party then, did we? But today we are hearing a lot more about the communistic party. It is preached in our churches that we should condemn the communistic party. It is spoken of in every patriotic organization of which we are members. We didn't hear all of that at the end of the last war, but today we do, and yet at the end of the last war country after country was overthrown. Today I say to you that we can look forward in the future to attempts by the communistic party to overthrow the United States government. Are we going to sit here and say "all right, we are not going to legislate against the communistic party; we are going to let you have your free speech, your free this and that." Then again, as my colleague from Allegheny, Mr. Bender, says, it will be too late, ladies and gentlemen, it will be too late. Now is the time to hush the communistic party. Let us not give them the sword with which to kill us.

Mr. BROWN. Mr. Speaker, I recognized that a speech on the Communist party or against the Communist party would finally get into the discussion of this bill. I haven't discussed the Communist party. I don't see anything in the act that says anything about the Communist party. I am not speaking about the Communist party. How is this bill going to be enforced against any party? It says that the association shall be determined to be subversive. It does not set up any form of procedure, it does not name the court. I submit to the gentleman from Philadelphia that this is an extension of the common law doctrine on crime, and unless this legislation designates the court through which these associations shall be determined to be subversive the bill cannot work.

I would like to ask the gentleman the question, what would be the procedure if someone would bring to him information that there is a subversive organization lurking around the Hall here, and if this bill were to pass, what procedure would he follow to bring the organization before some competent court? And if he would answer that without speaking about the Communist party and can answer it to the satisfaction of the members here who have some idea as to criminal procedure, we will vote for the bill. We are not interested in whether Russia is over here or is not over here; we are here to determine legal procedure.

Mr. GRIFFITHS. Mr. Speaker, I feel that should answer the gentleman from Allegheny as to legal procedure. I don't think I would have a bit of difficulty here. The bill here creates a new crime. The way you get at the crime is to swear out an affidavit, have the party arrested have him brought before a magistrate or justice of the peace, where a hearing is held. If the justice of the peace holds them for the grand jury their case subsequently is placed before the grand jury and if an indictment is formed against them they are tried before the Court of Quarter Sessions of the County. This is a new crime and the same procedure would apply as in any other criminal offense.

Mr. BROWN. Mr. Speaker, I do not believe the gentleman has read the bill. I would like for him to read the penal provision of the bill, which is on page 7, Section 4, which says—and this is the only part that has any penal provision, "any person who violates—"

Now, before you get to the penal code, the organization has been declared subversive. What is the procedure set up in the act to determine what is a subversive organization? If the gentleman would read the bill he would find that Section 4 does not apply until the organization has been determined to be subversive.

Mr. ANDREWS. Mr. Speaker, I would have been ignoble to have interrupted the exchange between the two legal lights. Now, in this bill of all bills I have ever seen, is the most striking example of bombarding a crocodile with cream puffs. I am not excited about this bill, and I appreciate the remarks of the gentleman from Philadelphia. Denouncing the Communists is hot stuff, it's good politics. Denouncing Communists has proven to be in the last couple of years a very profitable political practice; it has paid dividends.

My God, Mr. Speaker, I wouldn't expect these gentlemen here to be unmindful of one of the agencies that brought them here. If there hadn't been a Joe Stalin some

of them would have been back home and be peddling something else.

Now, notwithstanding the high grounds taken by my friend, the gentleman from Allegheny, and his sound reasoning—so sound that the enactment of this bill does not mean a thing. In all of this short and business like session of the Legislature you voted for more pills than any Legislature has been called upon to swallow in my memory, and you have made up your mind to vote for or against this bill. And since we have swallowed such large doses of it, why not swallow one more pill? I do believe that the gentleman, the sponsor of this bill, has terrified me, but at the same time he gave me a ray of hope; he says if we don't pass this bill in five years the Communists will have the country. Now, if his idea is your idea, that this make shift resolution of intent—and that is all that it is, a resolution of high and good intent, is going to stop Communism, why gentlemen, let us pass this bill and chalk is up as your supreme achievement. I am willing to go to bat and say "Gentlemen you had your chance to stop Communism; you said you were going to do it, you said you would do it with House Bill 682", but you don't do it and you now find that every act unlawful under this bill is unlawful under the existing statutes, you don't have a single weapon in your hand if you pass this bill that you do not now have. So I say to may friends on this side of the House, considering the practical situation, let us help them against the Communists to get on an even keel with them, and with the exception of the gentleman from Allegheny, Mr. Brown, let us pass this bill unanimously.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.

Aaronson,	Getchey,	McCosker,	Sarra,
Andrews,	Gibson,	McCullough,	Sax,
Bane,	Goff,	McDonald,	Scanlon,
Barrett,	Goodling,	McKinney,	Schuster,
Baumunk,	Gorman,	McMillen,	Scott,
Beech,	Graybill,	Mihm,	Serrill,
Bender,	Greenwood,	Mikula,	Shoemaker,
Bentzel,	Greer,	Miller,	Simons,
Bloom,	Griffiths,	Mills,	Smith, C. C.,
Boles,	Guthrie,	Mintess,	Smith, C. M.,
Bonawitz,	Gyger,	Mohr,	Snider,
Boorse,	Hall,	Mooney,	Sollenberger,
Bower,	Haller,	Moore, C. E.,	Sorg,
Brelsich,	Haudenschild,	Moore, H. A.,	Sproul,
Brice,	Helm,	Morrison,	Stank,
Bucchin,	Henry,	Murray,	Stimmel,
Brunner,	Hewitt,	Myers,	Stockham,
Cadwalader,	Hocker,	Najaka,	Stonier,
Capano,	Hoffman,	Naumann,	Stuart,
Cassidy,	Hoopes,	Needham,	Swope,
Chervnak,	Horan,	Neff,	Tahl,
Clevenger,	Imbt,	Nelson,	Thomassy,
Cochran,	Jennings,	O'Connor,	Thompson,
Cole,	Johnson,	O'Dare,	Tittle,
Cooper,	Johnston,	O'Donnell,	Tompkins,
Cordier,	Jones,	O'Neill,	Toomey,
Costa,	Jump,	Orban,	Turner,
Crowley,	Kean,	Patten,	Upshur,
Dague,	Kelley,	Petrosky,	Vaughan,
Dalrymple,	Kemp,	Pichney,	Verona,
Davison,	Kent,	Pickens,	Wachhaus,
De Long,	Kirley,	Polaski,	Wagner,
Demach,	Kline,	Powers,	Waldron,
Dennison,	Kohl,	Price,	Wallin,
Depuy,	Kratz,	Propert,	Walton,
Dix,	Krise,	Ragot,	Waterhouse,

Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Frost,
Gallagher,

Kurtz,
Laughner,
Laver,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Watkins,
Watson,
Weidner,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—3.

Brown,

Chudoff,

Weiss,

NOT VOTING—2.

Cook,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. WEISS filed the following reasons for his vote:

By my vote of "no" on the "Bender Bill", House Bill 682, I did not desire that the Communists get any comfort from same, as I loathe and detest everything and anything that the Communists stand for. If there was a good bill presented against the Communists, it would be a pleasure for me to vote for it. However, the "Bender Bill" is a poorly drawn bill that impairs the right to free speech, the right to free press and the right to free religion as guaranteed by our Constitution.

If a bill isn't any good and is harmful to the people, I could not vote for it.

BILL INTRODUCED AND REFERRED

By Mr. BRUNNER.

HOUSE BILL No. 1345.

An Act to reenact and amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven, (Act No. 102, P. L.), entitled "An act to provide revenue by imposing a state tax, payable by those herein defined as manufacturers and botlers and by others of syrups and bottled soft drinks, prepared, used, sold, transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties" by designating the nature of the tax, by clarifying the provisions relating to the imposition thereof and by re-defining certain terms.

Referred to the Committee on Ways and Means.

CONDOLENCE RESOLUTION

Mr. FISH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 4, 1947.

The sudden death of Judge Fred S. Reese at his residence in Carlisle, Pennsylvania, on May 30, 1947, was a profound shock to his many friends and admirers throughout the Commonwealth.

Gifted with an innate sense of fairness and an unusual perspicuity his career as President Judge of the Cumberland County Courts was truly one of justice for all.

Born at Illion, New York, December 12, 1896, he received his early education in the public schools of that community and upon his graduation from Cornell in 1919 with an L.L.D. degree Judge Reese joined the faculty of the Dickinson Law School and was soon regarded as an unusually capable and popular teacher.

He first held public office upon his election as district attorney of Cumberland County in 1927 and demonstrated his capabilities so well in that position that he was elected to the bench in 1931, becoming the youngest jurist to ever sit upon the Cumberland County bench. In 1941 Judge Reese was reelected without opposition.

A man vitally interested in his community and the Nation Judge Reese, upon his establishing residence in Carlisle, soon became identified with many charitable and other worthwhile projects. As a Boy Scout leader, a churchman, and officer of many fraternal organizations and local community projects his boundless energy and ability to direct the achievement of desired goals made him an invaluable asset to his community. In 1946 Judge Reese spent the summer in Germany as legal adviser to the Public Health, Welfare Religious and Education Branch of the United States Military Government.

In his passing, Judge Reese leaves a vacancy in his community and the judicial system of the Commonwealth that will be difficult if not impossible to fill, and his family and friends will sorely miss his devotion and friendship; therefore, be it

Resolved (if the Senate concur), That in the passing of Judge Fred S. Reese the Commonwealth and Carlisle have lost a distinguished citizen whose record of service will long be remembered; and be it further

Resolved, That as a sincere but inadequate expression of the deep sympathy of the General Assembly the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to his widow, Mrs. Edith R. Reese, residing at Carlisle, Pennsylvania.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. MILLS offered a resolution which was laid over under the Rules.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon granting to municipalities as defined and to authorities power to charge and collect from owners of and users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works clarifying

and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals rates or charges may be imposed and the proceeds thereof used Adding purposes including the design and construction of new or additional sewers sewerage systems and sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utilities Commission in connection therewith authorizing the shut off of water supply in certain cases and making it unlawful to discharge harmful industrial wastes into any municipal sewer

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title on said page, by striking out the word "and."

Amend title, page 3, line 2 from top of page, by inserting after the word "sewer" the following: "and providing that the amendments shall not apply to cities of the first class or authorities operating in cities of the first class."

Amend bill, page 23, by inserting after line 18, the following: "Section 4. The provisions of these amendments shall not apply to cities of the first class or to any authorities operating in cities of the first class."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 800, entitled:

An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Page 2, Line 3, following the word class, strike out boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class.

Page 4, Line 10, following the word class, strike out boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, the amendments which I offer would leave the bill in the position of broadening the tax base only of second class cities, second class cities A and third class cities. It would eliminate boroughs, townships and school districts from the bill. We do this because we believe it is in line with the principles of sound taxation.

House Bill 800 was born of a desire to broaden the tax base of Pittsburgh. Then someone thought it would be a good idea to broaden the tax base of Scranton, and then someone conceived a notion of broadening the tax base of third class cities. Then the idea was so popular that it was decided to attempt to broaden the tax base of boroughs and school districts.

Now, members of the House, the Commonwealth of Pennsylvania is not legally, morally or constitutionally responsible for how you run your municipality. There is nothing in the constitution that says you must maintain a certain level of government in those cities. There is a constitutional provision regarding the Commonwealth's duties toward its schools. The Commonwealth is obligated to maintain a level of education that will equalize educational opportunities, and therefore, in so far as the mandated requirements of the statutes enacted by the General Assembly are concerned there is a valid argument that the schools be maintained by statewide uniform taxes, not as state aid, but collected through the Commonwealth as a collecting agency, and that argument is sound because the state is a better collector than the local political subdivisions. Also it is sound because the tax dollar collected by the Commonwealth costs less than the tax dollar collected by the political subdivisions, and so it is perfectly logical that the burden of the cities should be placed upon the cities, and then so far as the mandated requirements of our school situation are concerned, that they be satisfied by means of a state wide tax.

Now, House Bill No. 800 is objectionable because so many cities and so many school districts are co-terminous, and we say to the school district "Go ahead and tax everything in sight, wages, salaries, personal property and what have you?" You say to the cities as you say to the school districts, "Go ahead and tax everything in sight," with no limitation. This bill is absolutely without a vestige of limitation. How much can you tax wages? Anything you like. How much can you tax salaries? Anything you like. How much can you tax personal property? Anything you like. The same with the various school districts that are co-terminous, and I say it is unfair for this Commonwealth to create standards of education and throw them back upon the local school districts at the same time that you are broadening the tax base of the local municipalities.

Now, the nuisance value in this bill is tremendous. What can you tax? Baby buggies, gocarts, bicycles, rocking

chairs, window panes, and I presume shirt tails if they are a foot long. If this House intends broadening the tax base of York or Reading or Allentown or Johnstown, that's one thing, but when the school districts of those municipalities are co-terminous with the cities themselves, to give both to the cities and to the school districts unrestrained power is obnoxious to every sound sense of tax procedure. That is the reason why I have offered these amendments, which would eliminate from the bill the boroughs, the townships and the school districts and permit the broadening of the tax base for the cities alone.

Mr. BRUNNER. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Cambria, Mr. Andrews. I do not intend at this time to go into the merits of House Bill 800 or to discuss the bill at length presently. From my standpoint, and I think from the standpoint of the majority of the members of this House, I can see no reason why cities should be favored to the exclusion of all other municipal sub-divisions of this Commonwealth when it comes to the important question of broadening the base for the raising of taxes in these various sub-divisions.

May I say generally that the Commonwealth of Pennsylvania during the past administrations has witnessed an increasing budget, and that presently the budget requirements are approximately one billion dollars. At the present time we have a picture of the local sub-divisions coming to Harrisburg and asking for State-wide levies and having those funds reapportioned or apportioned back to them, which is rather paradoxical. Those political subdivisions are represented by elected representatives in the lower levels. We have borough councilmen, township commissioners and others. It is essential by home rule that they determine the amount of funds necessary to administer their local sub-divisions and enact sufficient tax legislation to do so. I think for the purpose of discussing this particular amendment that that is sufficient, and I ask the membership of this House to vote down the amendment.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRUNNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend the bill by inserting after the last line of Section 3 on page 8, and before the first line of Section 4 on page 9 the following sections:

Section 4. Payment of any tax to any political sub-division, pursuant to an ordinance or resolution passed or adopted prior to the effective date of this act, shall be credited to and allowed as a deduction from the liability of taxpayers for any like tax respectively on salaries, wages, commissions, other compensation or on net profits of businesses, professions or other activities, and for any income tax imposed by any other political subdivision of this Commonwealth under the authority of this act.

Payment of any tax on salaries, wages, commissions, other compensation or on net profits of businesses, professions or other activities to a political subdivision by residents thereof, pursuant to an ordinance or resolution passed or adopted under the authority of this act, shall be credited to and allowed as a deduction from the liability of such persons for any other like tax respectively on

salaries, wages, commissions, other compensation or on net profits of businesses, professions or other activities, imposed by any other political subdivision of this Commonwealth under the authority of this act.

Payment of any tax on income to any political subdivision by residents thereof, pursuant to an ordinance or resolution passed or adopted under the authority of this act shall, to the extent that such income includes salaries, wages, commissions, other compensation or net profits of businesses, professions or other activities, but in such proportion as hereinafter set forth, be credited to and allowed as a deduction from the liability of such persons for any other tax on salaries, wages, commissions, other compensation or on net profits of businesses, professions or other activities, imposed by any other political subdivision of this Commonwealth under the authority of this act.

Where a credit or a deduction is allowable in any of the several cases hereinabove provided, it shall be allowed in proportion to the concurrent periods for which the taxes are imposed by the respective political subdivisions, but not in excess of the amount previously paid for a concurrent period.

Section 5. Any tax imposed under this act shall not be subject to any limitations under existing laws as to rate or amount.

Amend Section 4, page 9, line 1, by striking out the following numeral: "[4]." and by substituting in lieu thereof the following numeral: "6."

Amend Section 5, page 9, line 8, by striking out the following numeral: "[5]." and by substituting in lieu thereof the following numeral: "7."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I would ask the gentleman from Montgomery to tell the House in English what these amendments are intended to do.

The SPEAKER. The Chair might say to the gentleman if he would request it in Pennsylvania Dutch, he might get it.

Mr. ANDREWS. Mr. Speaker, I can understand the explanation in Pennsylvania Dutch as well as I can understand these amendments.

Mr. BRUNNER. Mr. Speaker, I take it from the insinuation of the gentleman that these amendments represent a lawyer's answer.

Seriously, these amendments are designed to protect, or shall we say, assure residents against double taxation on the same subject. May I cite an example, where a person is a resident of one township and is employed in a borough or in another township or a city, and there is a wage tax where he is employed, and there is likewise a wage tax where he is a resident, the wage tax where he is a resident controls in all cases, and he is allowed to set off against the tax imposed at his place of employment the amount equal to what he has paid at his place of residence. This applies not only to wages but applies to any type of income, and as I say, the amendments were designed to remove the possibility of double taxation on any types of income.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for a question? Say, for instance, Mr. Speaker, that borough "A" has a wage tax, and the unit there is four, and borough "B" has a wage tax and the unit is two. Where would the worker stand under your equalization plan?

Mr. BRUNNER. Mr. Speaker, it depends where that person resides.

Mr. ANDREWS. Mr. Speaker, he resides, let us say, in the borough where the factor would be four as against two where he works.

Mr. BRUNNER. Mr. Speaker, then he would pay no wage tax under two.

Mr. ANDREWS. Mr. Speaker, how would the converse work?

Mr. BRUNNER. Mr. Speaker, if for example he resides in "A" township and is employed in "B," he is subject to a wage tax where he resides of one hundred dollars, and he is subject to a wage tax where he is employed of two hundred dollars. He can offset the one hundred dollars and pay to the municipality where he is employed but does not reside the net sum of one hundred dollars.

Mr. ANDREWS. Mr. Speaker, there you would have an example where he would be paying something at both places.

Mr. BRUNNER. That is correct, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, how would the gentleman then argue that this bill prevents double taxation, if he has to pay in two boroughs?

Mr. BRUNNER. Mr. Speaker, he does pay in two boroughs but as to the same level or the same amount of tax levy, he pays only one tax.

Mr. ANDREWS. Mr. Speaker, but if one borough, Mr. Speaker, levies a heavier tax than the other, he pays in two boroughs?

Mr. BRUNNER. That is right, Mr. Speaker.

Mr. ANDREWS. And again, Mr. Speaker, how can the gentleman say there is no double taxation?

Mr. BRUNNER. Mr. Speaker, it is conceivable that he would be subjected to a wage tax under this bill without a wage tax in his home, and he would then pay a full tax of two hundred dollars. It would be a single tax but it wouldn't be any more burdensome if there was one in his own township where he resided.

Mr. BROWN. Mr. Speaker, I had some questions which I wanted to ask of the gentleman from Montgomery, Mr. Brunner. We had an opportunity to casually read the amendments while they were at the Minority Leader's desk, but there is one question which the Minority Leader failed to ask which I would like to have the gentleman from Montgomery explain, and that is how does he bring these amendments within the uniformity clause of the Constitution.

Mr. BRUNNER. If I understand the gentleman correctly, he wants to know how the amendments comply with the uniformity clause. I see no reason why there is any difference here than in any other tax setup, and I think it fully complies with the uniformity clause of the constitution.

Mr. BROWN. Mr. Speaker, would the gentleman allow us an opportunity before the bill is passed to give some study to that question as to whether this amendment does not offend the uniformity clause of the constitution which provides that all taxes must be uniform on the same subject matter within the territorial limits levying the tax. It seems to me there is everything here but uniformity. I haven't had a full opportunity to peruse the amendments.

Mr. BRUNNER. Mr. Speaker, may I reply to the gentleman, that the bill, of course, will lie over for printing.

If printed it will be on final passage tomorrow, and may I assure the gentleman that it will not be called up for final vote before Monday of next week.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, upon this amendment, because it is quite unconsciously, the most vicious wide-sweeping assault upon the payroll of this state that has ever been presented in this House, we ask for a roll call upon the amendment.

Mr. SORG. Mr. Speaker, I cannot let go unchallenged the statement that this is an assault on the payrolls of the Commonwealth. The sole and exclusive purpose of these amendments is to protect an assault on those payrolls from a number of different sources.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Bane and were as follows:

YEAS—146

Aaronson	Graybill,	Madden.	Rowen
Baumunk.	Greenwood.	Madigan	Royer.
Beech.	Greer	McCormack	Sax.
Bender	Griffitha.	McCooker.	Scott.
Bloom	Guthrie.	McDonald	Serrill.
Bonawitz.	Gyger	McKinney	Shoemaker
Boorse	Hall.	McMillen	Smith C C
Bower.	Haller.	Miller	Smith C M
Brelsich	Haudenschild.	Mintess	Sorg
Brice	Henry.	Mohr.	Sprout.
Brunner.	Hewitt.	Moore C E.	Stimmel.
Cassidy.	Hocker.	Moore. H A.	Stonier.
Chudoff	Hoffman	Morrison	Stuart
Clevenger	Hoopes.	Murray.	Tahl
Cordier	Horan.	Myers.	Thompson
Costa.	Imbt.	Naumann	Tittle.
Dague.	Jennings.	Neff.	Tompkins
Davison.	Johnson.	Nelson.	Toomey
De Long.	Johnston	O'Dare.	Turner
Dennison.	Jones	O'Donnell	Upshur.
Depuy	Jump.	Orban.	Vaughan
Dye.	Kean.	Patten.	Wachhaus
Efenberg	Kelley.	Pichney.	Wagner.
Elder.	Kemp.	Pickens.	Waldron
Erb.	Kent.	Price.	Walton.
Feola.	Kline.	Propert.	Waterhouse
Flash.	Kohl.	Ragot.	Watkins.
Fiss.	Kratz.	Readinger.	Watson.
Flack.	Krise.	Reagan.	Weidner.
Fleming	Kurtz.	Reese. D P.	Wescott.
Foor.	Laughner	Reilly. W J.	Wolf.
Frost.	Layer.	Richter.	Wood.
Gallagher	Lee.	Rhey.	Worley.
Getchey	Leisey.	Robbins.	Yeakel.
Gibson.	Livingston.	Robertson	Young.
Goodling.	Loftus.	Rose.	Lichtenwalter.
Gorman.	Lyons.		Speaker

NAYS—36

Andrews.	Cole.	Mooney.	Scanlon.
Bane.	Crowley.	Najaka.	Schuster.
Barrett.	Demech.	Needham	Snider.
Bentzel.	Evana.	O'Connor.	Stank.
Boies.	Kirley.	O'Neill.	Swope.
Brown	Livingstone.	Petrosky.	Weiss.
Bucchin.	Lovett.	Polaski.	Wheeler.
Capano.	Mikula.	Powers.	Yester.
Chervenak.	Mills.	Sarra.	Yetzer.

NOT VOTING—23

Cadwalader.	Ewing	Reese R E.	Thomassy
Cochran.	Goff.	Reilly J M.	Trout.
Cook.	Heim.	Root.	Verona.
Cooper.	Mazza	Simona.	Wallin.
Dalrymple.	McCullough	Sollenberger	West.
Dix.	Mihm.	Stockham	

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION

CITY OF READING

Messrs. READINGER and MORRISON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 4, 1947.

Next year the City of Reading, Pennsylvania, will celebrate its bicentenary as the said city was founded in 1748 by Thomas and Richard Penn, sons of William Penn. The City of Reading and the County of Berks were named respectively for the native English city and shire of the Penns.

In connection with its history it is interesting to note that during the French and Indian War the colonial frontiers passed thru Berks County. Massacres and Indian alarms were frequent. The provincial government failed to establish an organized resistance and that task fell to one of the greatest men of the Colonial era—Conrad Weiser of Heidelberg. Next to William Penn, he was the pioneer who by his honesty, understanding and fair dealing had won the respect and confidence of the Indians. He was the Province's chief Indian interpreter and represented not only his own Province but also Maryland and Virginia.

Contemporaneous with Weiser, there lived in a neighboring township to Reading two families connected with each other by marriage who have contributed two of America's greatest men. The Boones gave us Daniel Boone, the pioneer of Kentucky, who was born here in 1734; the Lincolns gave us Abraham Lincoln, born here in 1738, the grand-father of the martyred President.

The early industries of Reading had their inception in the manufacture of iron and its products. Reading was the center of a region that was among the very first to produce iron, and for nearly a century this region maintained its supremacy in that line. It was one of the earliest producers of stoves and castings; in fact, the first cook stove in America was made here in 1767 by Thomas Maybury.

In 1716, Thomas Rutter erected upon a branch of the Manatawny Creek the first forge ever built in Pennsylvania. Several years later he built the first furnace. Charcoal forges and furnaces arose in such numbers throughout our hills that by the time of the Revolution, Berks County had become the center of the colonial iron industry.

Reading and Berks are proud of the men they have given to the service of the State and the Nation. Besides Conrad Weiser, there were such men as Joseph Heister, Governor of Pennsylvania, 1820-1823; John Andrew Schulze, Governor, 1823-1829; a father of our common school system; Joseph Ritner, Governor, 1835-1839; Spencer Fullerton Baird, scientist, long head of the Smithsonian Institute; David M. Gregg, Brigadier General, who won fame upon the battlefield of Gettysburg; Henry A. Muhlenberg and J. Glancy Jones, Ministers to Austria; Frederick Smith and Warren J. Woodward, Justices of the Supreme Court of Pennsylvania; William Strong, associate justice of the Supreme Court of the United States; George F. Baer, railroad President, Nathan C. Schaeffer, Superintendent of Public Instruction of Pennsylvania under seven successive governors, and Hunter Liggett, Lieutenant General of the U. S. Army and second in command in the American Expeditionary Forces.

Today the City of Reading has a population of 110,568,

which makes it fifth in population and third in industry among the cities of Pennsylvania, a city whose metropolitan area embraces a population of 266,855.

In Metropolitan Reading is located 13 of the largest plants of their kind in the United States producing full-fashioned hosiery, full-fashioned hosiery machinery, narrow fabrics, single thread lace machinery, high grade alloy steel, small steel castings, glove silk underwear, menthol cough drops, heat treated automobile frames, glass door knobs, goggles, optical goods and children's shoes.

Here also are the two largest single unit foundries in the world and the largest brick-burning kiln in the world; also the great locomotive and car shops of the Reading Company, one of the largest and best equipped in America. Reading is the nation's second largest center for the manufacture of builders' hardware and hosiery and knit goods. Reading is also recognized as the home of the pretzel industry of America, a commodity that is exported to 20 foreign countries, in Europe, South America, South Africa India and Arabia. The high quality of the Reading-made pretzel is due in large measure to the pure mountain spring water, found in Reading, which is used in the making of this delicacy.

Reading claims the distinction of a symphony Orchestra of 60 pieces; 2 Choral Societies, a Chamber of Music Ensemble, a Civic Opera Company and many other excellent music groups which have contributed to the city's fame as a center of art and culture, therefore be it

Resolved (If the Senate concurs) That the General Assembly of this Commonwealth of Pennsylvania hereby congratulates the said city upon its bicentenary and wishes it continued success in the years to come, and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit to the Mayor of the City of Reading, a copy of this resolution.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission

for the Committee on Education to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. McMILLEN from the Committee on Education, reported as amended, House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act

COMMITTEE MEETINGS

Appropriations, Room No. 246, Thursday, June 5, 1947, at 11 a. m., D. S. T.

Cities—Third Class, Room No. 521, Thursday, June 5, 1947, at 10:30 a. m., D. S. T.

Law and Order, Room No. 325, Thursday, June 5, 1947, immediately after the Session of the House.

ADJOURNMENT

Mr. DENNISON. Mr. Speaker, I move that this House do now adjourn until Thursday, June 5, 1947 at 10:00 a. m., Eastern Standard Time.

The motion was agreed to, and (at 5:53 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, JUNE 5, 1947.

No. 70.

SENATE

THURSDAY, June 5, 1947

The Senate met at 12:00 o'clock, M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Schuylkill, Mr. WAGNER.

Our Father in Heaven, before we start another legislative day we give thanks for Thy goodness and Thy kindness and for the blessings which Thou hast showered upon us. Make our minds clear, make our hearts just and as we seek to legislate for the people of this Commonwealth, may we be ever mindful of the laws of God. Guide us, direct us and give us the necessary wisdom to do those things which are acceptable in Thy sight and beneficial to Thy children.

This we ask in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. FARRELL, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 5, 1947.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Leona M. Porter, Pittsburgh, 700 Jones Law Bldg.

BLAIR COUNTY

Carl M. Johnston, Altoona.

LEHIGH COUNTY

Mrs. Marjorie B. Thomas, Allentown.

LUZERNE COUNTY

William F. Goodman, Jr. Wilkes-Barre.

PHILADELPHIA COUNTY

Albert Joseph Bock, Phila., 8739 Star Dust Lane, Penny-pack Woods Project.

Miss Eleanor R. Martin, Phila., 1500 Walnut St.

Mrs. Anna C. B. O'Leary, Phila., 820 Packard Bldg.

Arthur D. Pollock, Phila., 1601 W. Dauphin St.

Wm. G. Sherwin, Phila., 1617 Pennsylvania Blvd.

Vernon Worthington Jr., Phila., Byberry Rd. (16)

JAMES H. DUFF

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. HEYBURN and Mr. LLOYD H. WOOD,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geitz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Orider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Bradford County Board of Assistance, to serve until December 31, 1949, and until their successors are duly appointed and qualified.

William R. Most (Republican), Canton, vice Mrs. Marion M. Newman, Canton, whose term expired.

Gerald T. Keeney (Republican), vice Mrs. Florence B. Schrier, Athens, whose term expired.

JAMES H. DUFF

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 316, PRINTER'S No. 94

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 316, Printer's No. 94, entitled "An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain food forecasting and warning systems."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL No. 314, PRINTER'S No. 93

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 314, Printer's No. 93, entitled "An Act to further amend section seven of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled as amended 'An Act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government

in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways,' permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas; and providing for the installation of flood forecasting and warning systems."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 337, PRINTER'S No. 246

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 337, Printer's No. 246, entitled "An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended 'An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents' by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 338, PRINTER'S No. 98

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 338, Printer's No. 98, entitled "An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled 'An act to protect the right of employees to organize and bargain collec-

tively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties' excluding municipal authorities from the definition of employer."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 505,
PRINTER'S No. 161

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 505, Printer's No. 161, entitled "An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled 'An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation' changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances"

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 519,
PRINTER'S No. 340

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 519, Printer's No. 340, entitled "An Act to amend the title and to further amend section one of the act approved the twelfth day of May

one thousand nine hundred forty-three (P. L. 259) entitled 'An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes' providing for the purchase by the municipality of Pension Annuity Contracts for policemen."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 587,
PRINTER'S No. 236

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 587, Printer's No. 236, entitled "An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115), entitled 'An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties,' clarifying the provisions relating to the time for giving change of party enrollment notice."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 639,
PRINTER'S No. 294

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 639, Printer's No. 294, entitled "A further supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled 'An act to provide for the incorporation and regulation of certain corporations' granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation."

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being intro-

duced presented for concurrence bills of the House, as follows:

House Bill No. 214, entitled:

An Act to reenact and amend the act approved the nineteenth day of May, one thousand nine hundred forty-three (P. L. 18), entitled "An act authorizing during the present war time emergency, cities, counties and other political subdivisions, to pay compensation to the officers (except officers elected by the people), employes and others who are paid out of their treasuries, in addition to the compensation fixed by act of assembly; validating ordinances and other legislative acts authorizing such payments and all payments made thereunder, and suspending existing laws," extending the provisions thereof for an additional period of time.

Which was committed to the Committee on Local Government.

House Bill No. 417, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents and district superintendents; and providing for reimbursement by the Commonwealth; and repealing certain provisions of said act.

Which was committed to the Committee on Education.

House Bill No. 610, entitled:

An Act to add section eight hundred twenty-three point one to Article VIII of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing a penalty for theft, removal or transfer of certificates of inspection from motor vehicles, trailers, or semi-trailers.

Which was committed to the Committee on Highways.

House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," further providing for collection of certain taxes by prothonotaries.

Which was committed to the Committee on Finance.

House Bill No. 639, entitled:

An Act to amend section one of the act, approved the fifth day of April, one thousand eight hundred forty-eight (P. L. 335), entitled "An act changing the time when certain officers shall make their returns," by further providing for the rendering of accounts for, and payment of, taxes received; and making the same conform to existing law.

Which was committed to the Committee on Finance.

House Bill No. 682, entitled:

An Act making it unlawful for members of or persons who assist, aid or abet any organization which is disloyal to the United States or to the government of the United States, or which has pledged its allegiance to any foreign government or leader to hold public office or public employment or office in certain organizations or associations.

Which was committed to the Committee on Judiciary General.

House Bill No. 896, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," increasing the compensation and mileage allowance of members of the General Assembly.

Which was committed to the Committee on State Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 673

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 477 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of inmates and their probation or parole.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE SENATE TO SENATE BILL NO. 318

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to affect such sales are instituted within one year after the effective date of this act.

The PRESIDENT. The bill will be laid on the table.

HOUSE CONCURS IN SENATE BILL NO. 710

He also returned to the Senate, Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurances; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund, providing penalties; and repealing existing laws," changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

with the information that the House has passed the same without amendments.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

GENERAL ASSEMBLY EXTENDS CONGRATULATIONS AND CONTINUED SUCCESS TO THE CITY OF READING UPON ITS BICENTENARY

In the House of Representatives, June 3, 1947

Next year the City of Reading, Pennsylvania, will celebrate its bicentenary as the said city was founded in 1748 by Thomas and Richard Penn, sons of William Penn. The City of Reading and the County of Berks were named respectively for the native English city and shire of the Penns.

In connection with its history it is interesting to note that during the French and Indian War the colonial frontiers passed thru Berks County. Massacres and Indian alarms were frequent. The provincial government failed to establish an organized resistance and that task fell to one of the greatest men of the Colonial era—Conrad Weiser of Heidelberg. Next to William Penn, he was the pioneer who by his honesty, understanding and fair dealing had won the respect and confidence of the Indians. He was the Province's chief Indian interpreter and represented not only his own Province but also Maryland and Virginia.

Contemporaneous with Weiser, there lived in a neighboring township to Reading two families connected with each other by marriage who have contributed two of America's greatest men. The Boones gave us Daniel Boone, the pioneer of Kentucky, who was born here in 1734; the Lincolns gave us Abraham Lincoln, born here in 1738, the grandfather of the martyred President.

The early industries of Reading had their inception in the manufacture of iron and its products. Reading was the center of a region that was among the very first to produce from, and for nearly a century this region maintained its supremacy in that line. It was one of the earliest producers of stoves and castings; in fact, the first cook stove in America was made here in 1767 by Thomas Maybury.

In 1716, Thomas Rutter erected upon a branch of the

Manatawney Creek the first forge ever built in Pennsylvania. Several years later he built the first furnace. Charcoal forges and furnaces arose in such numbers throughout our hills that by the time of the Revolution, Berks County had become the center of the colonial iron industry.

Reading and Berks are proud of the men they have given to the service of the State and the Nation. Besides Conrad Weiser, there were such men as Joseph Heister, Governor of Pennsylvania, 1820-1823; John Andrew Schulze, Governor, 1823-1829; a father of our common school system; Joseph Ritner, Governor, 1835-1839; Spencer Fullerton Baird, scientist, long head of the Smithsonian Institute; David M. Gregg, Brigadier General, who won fame upon the battlefield of Gettysburg; Henry A. Muhlenberg and J. Glancy Jones, Ministers to Austria; Frederick Smith and Warren J. Woodward, Justices of the Supreme Court of Pennsylvania; William Strong, associate justice of the Supreme Court of the United States; George F. Baer, railroad President, Nathan C. Schaeffer, Superintendent of Public Instruction of Pennsylvania under seven successive governors, and Hunter Liggett, Lieutenant General of the U. S. Army and second in command in the American Expeditionary Forces.

Today the City of Reading has a population of 110,568, which makes it fifth in population and third in industry among the cities of Pennsylvania, a city whose metropolitan area embraces a population of 266,855.

In Metropolitan Reading is located 13 of the largest plants of their kind in the United States producing full-fashioned hosiery, full-fashioned hosiery machinery, narrow fabrics, single thread lace machinery, high grade alloy steel, small steel castings, glove silk underwear, menthol cough drops, heat treated automobile frames, glass door knobs, goggles, optical goods and children's shoes.

Here also are the two largest single unit foundries in the world and the largest brick-burning kiln in the world; also the great locomotive and car shops of the Reading Company, one of the largest and best equipped in America. Reading is the nation's second largest center for the manufacture of builders' hardware and hosiery and knit goods. Reading is also recognized as the home of the pretzel industry of America, a commodity that is exported to 20 foreign countries, in Europe, South America, South Africa, Indian and Arabia. The high quality of the Reading-made pretzel is due in large measure to the pure mountain spring water, found in Reading, which is used in the making of this delicacy.

Reading claims the distinction of a symphony Orchestra of 60 pieces; 2 Choral Societies, a Chamber Music Ensemble, a Civic Opera Company and many other excellent music groups which have contributed to the city's fame as a center of art and culture, thereof be it

Resolved (if the Senate concurs) That the General Assembly of this Commonwealth of Pennsylvania hereby congratulates the said city upon its bicentenary and wishes it continued success in the years to come, and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit to the Mayor of the City of Reading, a copy of this resolution.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

IN MEMORIUM, JUDGE FRED S. REESE

In the House of Representatives, June 3, 1947

The sudden death of Judge Fred S. Reese at his residence in Carlisle, Pennsylvania, on May 30, 1947, was a profound shock to his many friends and admirers throughout the Commonwealth.

Gifted with an innate sense of fairness and an unusual perspicuity his career as President Judge of the Cumberland County Courts was truly one of justice for all.

Born at Illion, New York, December 12, 1896, he received his early education in the public schools of that community and upon his graduation from Cornell in 1919 with an L.L.D. degree Judge Reese joined the faculty of the Dickinson Law School and was soon regarded as an unusually capable and popular teacher.

He first held public office upon his election as district attorney of Cumberland County in 1927 and demonstrated his capabilities so well in that position that he was elected to the bench in 1931, becoming the youngest jurist to ever sit upon the Cumberland County bench. In 1941 Judge Reese was reelected without opposition.

A man vitually interested in his community and the Nation Judge Reese, upon his establishing residence in Carlisle, soon became identified with many charitable and other worthwhile projects. As a Boy Scout leader, a churchman, and officer of many fraternal organizations and local community projects his boundless energy and ability to direct the achievement of desired goals made him an invaluable asset to his community. In 1946 Judge Reese spent the summer in Germany as legal adviser to the Public Health, Welfare Religious and Education Branch of the United States Military Government.

In his passing, Judge Reese leaves a vacancy in his community and the judicial system of the Commonwealth that will be difficult if not impossible to fill, and his family and friends will sorely miss his devtion and friendship; therefore, be it

Resolved (if the Senate concur), That in the passing of Judge Fred S. Reese the Commonwealth and Carlisle have lost a distinguished citizen whose record of service will long be remembered; and be it further

Resolved, That as a sincere but inadequate expression of the deep sympathy of the General Assembly the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to his widow, Mrs. Edith R. Reese, residing at Carlisle, Pennsylvania.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 393 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate, or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 394 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and

protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof and changing certain capital and surplus requirements.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 234 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092), entitled "An Act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner, and for the admission of foreign societies; designing tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commission; and repealing existing laws" by further providing for the investment of funds by domestic societies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 625, entitled:

An Act to further amend section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing the salaries of the chairman and member of the Pennsylvania Public Utility Commission.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 841, entitled:

An Act to repeal so much of the act, approved the twenty-second day of April, one thousand eight hundred fifty (P. L. 538), entitled "An Act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun-powder; to incorporate an association for the establishment of a house of refuge for Western

Pennsylvania; and relative to the Pennsylvania State Lunatic Hospital," and its supplements as authorize aldermen, justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania, now known as the Pennsylvania Training School at Morgantown.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased, loaned, hired or conditionally sold from levy or sale on execution or distress for rent.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for service required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations," by allowing the merger and consolidation of domestic and foreign nonprofit corporations.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory three year revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 56, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages verdicts and amicable

adverse judgments imposing duties on certain county officials and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 635, entitled:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings

Mr. CRIDER, from the Committee on Local Government, reported as committed, House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers, and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," providing for the time of payment of salaries to county officers.

Mr. WAGNER, from the Committee on Education, reported as committed, Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," further regulating the licensing of dental hygienists.

He also, from the Committee on Education, reported as committed, House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

Mr. GELTZ, from the Committee on Finance, reported as committed, Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection; providing for the issuance of mercantile licenses upon the payment of fees therefor; imposing powers and duties on Boards of Public Education, Receiver of School Taxes; School Treasurer, and School Controller in such districts; and providing penalties.

He also, from the Committee on Finance, reported as committed, Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; imposing duties on county assessing authorities, boards of revision of taxes, receivers of school taxes; imposing duties on and providing for compensation to certain county treasurers; and providing penalties.

He also, from the Committee on Finance, reported as committed, House Bill No. 1337, entitled:

An Act to further amend sections one and three, and to add section four to the act, approved the seventh day of May, one thousand nine hundred twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," further providing for determination of the estates subject to the Pennsylvania Estate Tax, the computation thereof, and the collection of interest upon tax not paid when due; and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate.

Mr. CARR, from the Committee on Education, reported as committed, Senate Bill No. 264, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the service allowance of certain employees.

He also, from the Committee on Education, reported as committed, House Bill No. 1017, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business.

He also, from the Committee on Education, reported as amended, House Bill No. 502, entitled:

An Act to further amend sections four and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty cul-

ture and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further regulating the eligibility requirements for examinations and the proceedings to revoke or suspend licenses and certificates.

BILLS INTRODUCED AND REFERRED

Mr. CARR, read in his place and presented to the Chair Senate Bill No. 854, entitled:

An Act providing that all revenue derived from parking meters by any city, borough, incorporated town or township shall first be expended in the replacement of all traffic signals or lights which do not conform to standards or regulations prescribed by the Department of Highways.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 855, entitled:

An Act to further amend section two of the act, approved the eleventh day of July, one nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," prohibiting affixing of labels prescribing dosages for children under twelve years of age in certain cases.

Which was committed to the Committee on Public Health and Welfare.

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 856, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507 No. 335), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by bringing foreign insurance companies within the provisions of said act.

Which was committed to the Committee on Insurance.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 857, entitled:

An Act to amend section two thousand two hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the salary of school controllers.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 858, entitled:

An Act to further amend section twenty-one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the limit on the amount to be retained by registers of wills for their own use, for collecting inheritance taxes as agents of the Commonwealth.

Which was committed to the Committee on Judiciary General.

SENATE CONCURRENT RESOLUTION

DESIGNATING NOVEMBER 19th AS DEDICATION DAY AND URGING THAT LINCOLN'S GETTYSBURG ADDRESS BE READ ON THAT DAY

Messrs. HEYBURN and WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 5, 1947.

Whereas, The Gettysburg Address of President Abraham Lincoln is an outstanding classic and will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and

Whereas, In that address Mr. Lincoln adjured his fellow countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth;" therefore, be it

Resolved, (if the House of Representatives concur), That November 19, the anniversary of the delivery of the Gettysburg Address, be, and hereby is, designated in our calendar of special days as Dedication Day, and be it further

Resolved, That the Governor of Pennsylvania is requested to proclaim November 19 as Dedication Day and to suggest that the address be read on that day in schools and public assemblages throughout the Commonwealth.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for ten minutes, in order that the Committee on Appropriations may meet in the Appropriations Committee room.

Mr. CHAPMAN. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported

that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 200, entitled:

An Act to further amend the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled as amended "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the Administration of the State Employees' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by increasing the amounts of the State annuities, removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act.

House Bill No. 406, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," further defining State employes and original members and making further exception to compulsory membership in the system.

House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "State Employees Retirement Law," further defining State employes and original members so as to extend the benefits of the act to employes of institution of counties, cities, wards, boroughs, township, institution districts and other political subdivisions, acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

House Bill No. 541, entitled:

An Act to further amend paragraph six of section one

of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees' Retirement Law," by further defining State employe to include employes of the Interstate Commission on the Delaware River Basin.

Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage.

House Bill No. 954, entitled:

An Act to amend section six hundred four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "Nonprofit Corporation Law," allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by clarifying the powers and duties of the institution districts.

House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 859, entitled:

An Act to further amend section four of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for

examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry, and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," permitting the use of and automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

Which was committed to the Committee on Labor and Industry.

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE on behalf of Mr. CARR read in place and presented to the Chair Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. MALLERY, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY from the Committee on Local Government reported as committed, Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Agriculture, reported as amended, Senate Bill No. 463, entitled:

An Act to amend section two hundred two of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products sub-

ject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," increasing salaries of the chairman and the members of the Commission.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Appropriations, reported as committed, Senate Bill No. 843, entitled:

An Act making an appropriation to the Department of Public Instruction for administering its program of inservice training.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 539, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in certain out-patient and dispensary service.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy, Philadelphia, Pennsylvania, accumulated up to May 31, 1945 to cover the deficiency.

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Appropriations, reported as committed, House Bill No. 1342, entitled:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 247, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

BILL INTRODUCED AND REFERRED

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. CHAPMAN read in place and presented to the Chair Senate Bill No. 861, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing heads of departments to act by deputy as ex-officio members of any board or commission; and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. HOMSHER, from the Committee on Education reported as committed, Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and

other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employes of institutions and of the courts.

PERMISSION TO ADDRESS SENATE

Mr. TALLMAN asked and obtained unanimous consent to address the Senate.

Mr. TALLMAN. Mr. President, under today's date, Thursday, June 5, 1947, there appeared an editorial in the Harrisburg Patriot entitled "The Senate Fumbled."

I should like, Mr. President, to read the last paragraph of that editorial, which had to do with passage of House Bill 787. The last paragraph of the editorial reads as follows:

"For the Senate's dawdling over this matter there can be no excuse. Not only did it 'gyp' the state out of considerable tax revenue but it took from the pockets of many a motorist tax money that they might have retained."

Mr. President, I should like to state, with regard to this editorial, that the writer of it was apparently ignorant of the facts, or made the statement and wrote the editorial without due regard for the facts; I assume that it was innocently made, and for that reason I should like to state for the record in the Senate the facts concerning the passage of that bill, and I should, in order that the record may be clear, like to express the fact that the failure to pass this bill in order to make it effective June first was not because of any dawdling or fumbling on the part of this Senate.

I should like to call attention to the fact, Mr. President, that House Bill 787 was referred to the Committee on Ways and Means on March 19, 1947, in the House, that it was reported as committed on May 26, that is passed first reading on May 27, passed second reading, with amendments, on May 28, and was finally passed in the House on May 29. I further call attention to the fact, Mr. President, that that bill came to the Senate on that same day, was referred to the Committee on Finance, and on that very same day was reported from the Committee on Finance as amended.

I should like to state at that point, Mr. President, that it was found that amendments were essential to the correct passage of that bill. It having been so reported, it was passed on first reading on May 29, and then the Senate went into session at 12.01 a. m., Eastern Standard Time, 1.01 a. m. Daylight Saving Time, in order that the bill might receive second reading in the Senate.

Now, Mr. President, I want to further state that the Senate, under those circumstances, did all that it possibly could have done. There was no use for the Senate to remain in session on the following day, which was Saturday, May 31, by reason of the fact that the bill, having been amended in the Senate, it needed the concurrence of the House and the House of Representatives had adjourned for the entire week, on May 29.

I suggest, Mr. President, that the erroneous impression which was given in the editorial to which I have referred

should, in all fairness and justice, to the members of this Senate on both sides, be corrected.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 925 entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 831, entitled:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties providing for a Director of Public Safety and defining his powers and duties defining the scope of existing safety agencies and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 829, entitled:

• An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS. RECALLED FROM THE GOVERNOR

OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 964, on concurrence in House amendments, recalled from the Governor, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters.

go over in its order

The PRESIDENT. It there objections? The Chair hears none.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 26, as follows:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule [sixty] seventy-five dollars for each head of unregistered cattle one hundred twenty-five dollars for each head of registered cattle [ten] fifteen dollars for each head of unregistered swine sheep or goats [twenty] twenty-five dollars for each head of registered swine sheep or goats [three] five dollars for each fullgrown goose [three] five dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

Section 2 The provisions of this act shall become effective

tive the first day of June one thousand nine hundred forty-seven

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 26

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 26.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 274, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain tract of land and a certain right of way in the township of Upper Saint Clair County of Allegheny Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following described tract of land and the following described right of way situate in Upper Saint Clair Township Allegheny County Pennsylvania

Tract 1 All that certain tract of land situate in the Township of Upper Saint Clair County of Allegheny and Commonwealth of Pennsylvania more particularly described as follows to-wit

Beginning at an iron pin which said iron pin is North seventy-eight degrees West (N 78° W) eleven hundred twenty-five (1125) feet more or less from a point in the center line of a certain unimproved public road connecting State Highway Route 02054 with State Highway Route 02046 and is also on or near the line common to property now or formerly of William Walker and property now or formerly of Alexander Gilfillan thence from said iron pin South twelve degrees no minutes West

(S 12° 00' W) two hundred feet (200 feet) to a point thence South forty-four degrees no minutes West (S 44° 00' W) one hundred eighty (180) feet to a point thence North eighty-seven degrees twenty-six minutes West (N 87° 26' W) forty (40) feet to a point thence North two degrees thirty-four minutes East (N 2° 34' E) eight hundred thirty-nine (839) feet to a point thence South eighty-seven degrees twenty-six minutes East (S 87° 26' E) one hundred (100) feet to a point thence South seven degrees fifty-three minutes East (E 7° 53' E) five hundred eighteen and two tenths (518.2) feet to the iron pin at the place of beginning Containing 2.868 acres more or less

Excepting and reserving however thereout and therefrom the coal and mining rights as shown by prior deeds of record

Tract 2 All that certain right of way twenty-five (25) feet in width at grade leading from said unimproved public road aforementioned to the tract of land above described the center line of which is as follows

Beginning at a point in or near the center line of the aforementioned unimproved public road which point is northwesterly three hundred fifty (350) feet more or less from a point at or near the intersection of the center line of said unimproved public road aforementioned and a line common to property of William Walker containing 43.93 acres and of Alexander Gilfillan containing 20 acres thence South eighty-three degree nineteen minutes West (S 83° 19' W) seven hundred sixty-five (765) feet to a point thence North seventy degrees forty-one minutes West (N 70° 41' W) four hundred sixty-six (466) feet to a point thence by the arc of a curve to the right having a radius of seventy-five (75) feet composed of five (5) chords each twenty (20) feet in length for a distance of one hundred (100) feet to a point thence North two degrees thirty-four minutes East (N 2° 34' E) twenty-one (21) feet to a point on line third mentioned in the tract above described with the right to construct and maintain a roadway thereon for the use of the Grantee its servants agents and employees in traveling to and from the aforesaid public road to the tract herein conveyed

The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 2 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 274

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 274.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 436, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of the battle flags of World War I and World War II and other relics of Pennsylvania's participation in the several wars

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 436

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 436.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 633

Mr. TALLMAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 633.

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 608, as follows:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and

administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) is hereby further amended to read as follows

Section 409 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall consist of three residents and citizens of Pennsylvania well qualified by education and experience to act as censors of motion-picture films and stereopticon views or slides One member of the board shall be designated as chairman one member as vice-chairman and the other member as secretary thereof

The chairman of the board shall receive a salary of [four thousand eight hundred] fifty-five hundred dollars per annum and the vice-chairman and secretary shall each receive a salary of four thousand five hundred dollars per annum

Two members of the board shall constitute a quorum

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 933, on final passage, entitled:

An Act to further amend clause (a) of section four hundred fifteen and clause (A) of section six hundred twenty-one point one of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1214, on final passage, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 3, on third reading, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing, and preventing future silting of the Schuylkill River above Norristown.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 9, on third reading, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 12, on third reading, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 37, on third reading, entitled:

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 41, on third reading, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 155, on third reading, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 173, on third reading, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 193, on third reading, entitled:

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 216, as follows:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Joint State Government Commission hereinafter termed "commission" is hereby authorized to make a complete study of the educational facilities and needs of the citizens of this Commonwealth in the field of formal education commencing with graduation from high school This study shall embrace the present college facilities their financing administration the courses offered in said colleges and the educational needs of the applicants for admission to college and such other factors as may be germane to a complete study of post-high school education This study shall include universities colleges teachers colleges junior colleges and all other institutions requiring graduation from high school for admission

Section 2 A committee which shall consist of fifteen (15) representatives of educational and other interests in the several geographical sections of the Commonwealth shall be appointed ten (10) of whom shall be appointed by the Governor two members shall be appointed by the Speaker of the House of Representatives and two members shall be appointed by the President Pro Tempore of the Senate of the General Assembly the Superintendent of Public Instruction shall be a member of the committee It shall be the duty of this committee to cooperate with the Joint State Government Commission in making the study referred to in section one

The commission shall have power to employ any competent and qualified educational agency to make a survey The commission shall file a report with the Governor and

the General Assembly on or before the fifteenth day of November one thousand nine hundred forty-eight together with such drafts of legislation as may be necessary to carry out its recommendations

Section 3 All members of the Committee shall serve without pay but shall be reimbursed for their necessary traveling expenses

Section 4 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of investigators experts assistants and employes for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
Farrell,	Leader,	Tallman,	Woodring,
	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 268, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of removing debris and silt deposits repairing and otherwise restoring Lappanwinzo Dam at Northampton Northampton County Pennsylvania which damage was caused by recent unprecedented flood waters

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
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Becker,	Geltz
Berger,	Haluska
Blass,	Hare,
Carr,	Heyburn
Chapman,	Holland
Crider,	Homsher
Crowe,	Jaspan
Dent,	Kephart,
DiSilvestro,	Klein,
Doehla,	Lane,
Donlan,	Leader,
Farrell,	Letzler,

Mahany,	Taylor,
Mallery,	Tyler,
Margie,	Wade,
Rahausen,	Wagner,
Rosenfeld,	Walker,
Ruth,	Watson,
Scarlett,	Wilson,
Snowden,	Wolfe,
Stevenson,	Wood, L. H.,
Stiefel,	Wood, T. N.,
Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unaniomus consent that Senate Bill No. 285, on third reading, entitled:

An Act establishing the salary of the prothonotary in counties of the first class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none..

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 303, as follows:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the Orlando S Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unaniomus consent that House Bill No. 365, on third reading, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none..

BILL ON THIRD READING AND FINAL PASSAGE

Agreebly to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 458, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the seventh day of April one thousand nine hundred twenty-five (P. L. 166) is hereby further amended by adding at the end thereof the following paragraph

Section 1701

Upon approval of the Department of Public Instruction and of the county superintendent or district superintendent of the district in which any high school is located extended high school work of one or two years beyond that provided by a six year or four year or three year high school may be given in any school district of the Commonwealth. Such work shall be of less than college grade and given for not less than one hundred eighty days in each year and shall conform to the regulations established by the Department of Public Instruction

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 553, on third reading, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within the Commonwealth" increasing the compensation of county auditors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none..

BILL ON THIRD READING AND FINAL PASSAGE

Agreebly to order,

The Senate proceeded to the third reading and consideration of House Bill No. 587, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred eighty thousand three hundred twenty-seven dollars and eighty-two cents (\$380,327.82) or as much thereof as may be necessary is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsheer,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 601, on third reading, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sctum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

be placed on the Third Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 602 as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved the first day of April one thousand eight hundred sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of nine million one hundred fifty-two thousand dollars (\$9,152,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-seven to the trustees of The Pennsylvania State College for the following purposes

(1) For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineer-

ing the School of the Liberal Arts the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable the sum of eight million five hundred ninety-nine thousand dollars (\$8,599,000)

(2) For the use of the School of Agriculture for expenditure by the Agricultural Experiment Station for the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products the sum of two hundred ten thousand dollars (\$210,000)

(3) For the maintenance and the support of research and experimental investigation on problems relating to the petroleum industry of the State the sum of seventy thousand dollars (\$70,000)

(4) For the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employees and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation to be used by the School of Mineral Industries under the supervision of the Department of Mines the sum of ninety-eight thousand dollars (\$98,000) Provided That the moneys appropriated by this clause shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth has been procured and made available by the members of the anthracite and bituminous coal industry

(5) For the support of research and investigation of basic problems affecting the slate industry the sum of forty-nine thousand dollars (\$49,000)

(6) For the support of research and investigation of long range basic problems affecting the mineral industries the sum fifty-six thousand dollars (\$56,000)

(7) For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of seventy thousand dollars (\$70,000) Provided That no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation Affidavits evidencing such contributions shall be submitted by the college to the Auditor General

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and wyere as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsheer,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,

Dent, DiSilvestro, Doehla, Donlan, Farrell,	Kephart, Klein, Lane, Leader, Letzler,	Snowden, Stevenson, Stiefel, Tallman,	Wolfe, Wood, L. H., Wood, T. N., Woodring,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 607, on third reading, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgages lien holders and other encumbrance holders

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 623, as follows:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and for other necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to assist in providing educational facilities and services for the greatly increased number of students a majority of whom are veterans of the United States armed forces now enrolled at The Pennsylvania State College or petitioning for admission there is hereby specifically appropriated to the trustees of The Pennsylvania State College the sum of six million dollars (\$6,000,000) to be used for any or all of the following purposes as said trustees may determine

(a) For the construction and furnishing of temporary housing facilities for student and faculty attending or employed by The Pennsylvania State College together with the necessary utility services roads walks grading and landscaping connected therewith

(b) To assist The Pennsylvania State College to finance the cost of construction equipment and furnishing of permanent housing feeding and medical facilities together with the necessary utility services including roads walks grading and landscaping for the accommodation and care of students at The Pennsylvania State College and for such other expenditures connected therewith as the trustees of the college may deem necessary

(c) To supplement the allocation of funds for the construction of academic buildings at The Pennsylvania State College made under the authority and according to the provisions of the Act 72-A Laws of 1945 of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr, Becker, Berger, Blass, Carr, Chapman, Crider, Crowe, Dent, DiSilvestro, Doehla, Donlan, Farrell,	Frazier, Geltz, Haluska, Hare, Heyburn, Holland, Homsher, Jaspan, Kephart, Klein, Lane, Leader, Letzler,	Lord, Mahany, Mallery, Margie, Rahauser, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Tarr, Taylor, Tyler, Wade, Wagner, Walker, Watson, Wilson, Wolfe, Wood, L. H., Wood, T. N., Woodring,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 687, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research and demonstrations on improvement in nutritional status and consequent improvement in physical well-being of civilians based on research work now in progress The Department of Health shall commission said research work and demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the research and demonstrations as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amounts as the college shall request

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr, Becker, Berger, Blass, Carr, Chapman, Crider, Crowe, Dent, DiSilvestro, Doehla, Donlan, Farrell,	Frazier, Geltz, Haluska, Hare, Heyburn, Holland, Homsher, Jaspan, Kephart, Klein, Lane, Leader, Letzler,	Lord, Mahany, Mallery, Margie, Rahauser, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Tarr, Taylor, Tyler, Wade, Wagner, Walker, Watson, Wilson, Wolfe, Wood, L. H., Wood, T. N., Woodring,
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Darby and Tinicum Townships Delaware County and in Philadelphia County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 701, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred thousand dollars (\$400,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the general maintenance of and for research in the School of Veterinary Medicine of the University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the School of Veterinary Medicine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 713, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred and fifty (650) wards of the Commonwealth at five hundred forty dollars (\$540) per capita per annum and the sum of seven hundred and two thousand dollars (\$702,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-seven Absences or vacations of three weeks or less in any calendar year shall not be deducted but any absences or vacations in excess of three weeks in any calendar year shall be deducted

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that House Bill No. 720, on third reading, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 734, as follows:

An Act to amend section nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" changing fees of prothonotaries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulat-

ing the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby amended to read as follows

Section 9 The prothonotary shall be entitled to charge and receive for services rendered hereunder the following fees

(a) For filing indexing and docketing each chattel mortgage [seventy-five cents (75c)] one dollar and fifty cents (\$1.50)

(b) For filing indexing and noting each assignment [seventy-five cents (75c)] one dollar and fifty cents (\$1.50)

(c) For filing and noting each partial release satisfaction extension or subordination by written instrument [twenty-five cents (25c)] seventy-five cents (75c)

(d) For attesting the entry of a marginal satisfaction and noting the satisfaction on the index [twenty-five cents (25c)] seventy-five cents (75c)

(e) For indexing and attesting the entry of a marginal assignment [fifty cents (50c)] one dollar (\$1.00)

(f) For a certified copy of a chattel mortgage filed hereunder the sum of [twenty-five cents (25c)] fifty cents (50c) if a copy of the instrument is furnished at the time the same is filed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determine in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 737, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission out of the Motor License Fund to be used for the construction of a driveway at the Ephrata Cloisters Ephrata Lancaster County Pennsylvania and the payment of all costs and expenses necessary and incident thereto including wages and professional fees the purchase of materials the grading paving and edging and the construction of catch basins and drainage lines

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determine in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 738, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to conserve protect and develop certain historic buildings at Ephrata Cloister which without prompt care will soon deteriorate beyond remedy the sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission to be used for essential repairs at the Ephrata Cloister at Ephrata Lancaster County Pennsylvania for the payment of wages of skilled craftsmen and other workmen for the purchase of materials and equipment for contracted repairs and for the payment of professional fees for architectural supervision

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 739, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repair to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy" in order further to prepare the same for public use as a museum commemorating the life and times of the former owner The Harmony Society its notable past in the industrial development of western Pennsylvania and its world-wide fame as an experiment in community life

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstones at the graves of deceased service persons and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the first paragraph of Section 426 of said Act as twice amended on May 21 1943 the first by

Act No 137 and therein designated as Section 2 and by Act No 138 and therein designated as Section 5 be further amended to read as follows

Section 426 Markers for Graves Headstones The County Commissioners of the several counties of this [State] Commonwealth shall from time to time as is considered expedient by the Commissioners procure appropriate markers for the graves of deceased service persons Such markers shall be of cast bronze [which term shall mean a proper composition of the following metals in the following proportions Copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum] The County Commissioners shall procure bronze markers from some manufacturer or manufacturers engaged in the manufacturing of the same and in the contract for the furnishing thereof the manufacturer or manufacturers so furnishing such bronze markers shall warrant that the same are made of the following metals and in the following proportions Copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum and such manufacturer or manufacturers shall be liable to the county to which they furnish such markers to an amount equal to the amount paid to them by the county for the same in the event that it shall be proved that such were not the proportions of the metals in such bronze markers but nothing except actual fraud on the part of the County Commissioners shall render them liable in any sense or for any amount if it should be established that said markers are not composed of the metals above recited and in the proportions above recited and no officer trustee association corporation or person in control of any cemetery or a public burying ground in this Commonwealth shall have the right to question the composition of such bronze markers or to require that they or any of them be chemically analyzed before being placed in the cemetery over which such officer trustee association corporation or person in control of any cemetery or a public burying ground has control or charge or under any circumstances to refuse to permit the erection thereof in such cemetery or public burying ground or to charge for making the foundations for the same more than is charged in such cemetery for making similar foundations of the same proportions as those required for such markers under the penalties prescribed by Section 243 of the Act of April 30 1929 Pamphlet Laws 865 namely upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than Ten (\$10.00) Dollars nor more than One hundred (\$100.00) Dollars for each offense

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING AMENDED

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances and defining year of service

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 11), page 13, lines 5 and 6, by striking out the words "or a Member of the General Assembly complete his term of office and discontinue service"; Amend Sec. 2 (Sec. 11), page 13, line 8, by inserting a bracket before and after the word "but" and inserting immediately thereafter the following: "or should a member of the General Assembly discontinue his service as such member, voluntarily or involuntarily, after having served during five regular sessions of the General Assembly, but, in any case."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 777, on third reading, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidat-

ing the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 798, as follows:

An Act to further amend section two thousand nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 2009 The tuition of all students at the State Teachers' Colleges who are residents of Pennsylvania and who meet such requirements as the board of presidents of the State Teachers' Colleges may prescribe and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years and who are pursuing therein regular courses for the preparation of teachers shall be paid by the Commonwealth and sufficient appropriations shall be made for this purpose Provided however in addition to such appropriations the board of trustees may fix and charge such fees as may be necessary for the proper operation of the college and may refund from their respective advancement funds any advance registration deposits paid by prospective students who are unable to enter college

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,

Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 802, as follows:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the Act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 404) is hereby further amended to read as follows

Section 2 No plan for survey or regulation or a revision of either or both shall be finally acted upon by the said board of surveyors until advertisement shall have been made for two times in each of three daily newspapers of general circulation in the city of Philadelphia The first insertion in each newspaper to be inserted [the thirty] at least fifteen days immediately preceding the proposed action and the second notice to be inserted not less than [fifteen] five days thereafter and that handbills be posted upon and throughout the area covered by the plans to be considered giving notice of a hearing thereof for at least [thirty] fifteen days prior to said hearing and that upon the confirmation of any plan of surveys and regulations by the said board of surveyors the seal of the board shall be affixed thereto and attested by the presiding officer said confirmation to be final and conclusive without appeal

Section 2 This act shall take effect immediately upon its final passage

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 804, as follows:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 444 Agricultural Extension Work The board of commissioners may appropriate a sum not to exceed [five thousand dollars (\$5000)] seven thousand five hundred dollars (\$7500) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the purpose of improving and developing agricultural resources of the county The money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Taliman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 820, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of United States to the acquisition by the United States of America of a certain tract of land lying in the city of Harrisburg Dauphin County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at a point in the center of a manhole cover located at the intersection of the center lines of Rudy Road and twenty-fifth Street and running thence North 87° 53' East a distance of 691.1 feet to an iron pin thence South 3° 00' East a distance of 1150 feet to a pin thence South 87° 53' West a distance of 1062.6 feet to a point thence North 2° 40' West a distance of 115 feet to a point thence North 2° 22' West a distance of 328.25 feet to a point thence North 3° 32' West a distance of 384.73 feet to a stone thence North 7° 44' East a distance of 182.4 feet to a point thence North 65° 17' East a distance of 374.1 feet to the point of beginning containing approximately twenty-seven acres

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchise within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,

Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 821, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the city of Wilkes-Barre Luzerne County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at an iron pin set for a corner on the southerly right-of-way line of the State Highway new Route No 169 leading to Bear Creek and in the south-westerly side line of lands of George Skelton thence from said beginning point and along the line of lands of George Skelton and along the line of lands of Parsons and Flick Estates South 49°-17' East 447.93 feet to an iron pin set for a corner thence from said pin South 14°-01' West 1246.77 feet to an iron pin set for a corner on the northerly right-of-way line of the State Highway old Route No 169 thence from said pin along the northerly right-of-way line of said State Highway old Route No 169 North 68°-43½' West 1921.88 feet to a point at the intersection of the said northerly right-of-way line of the State Highway old Route No 169 with the easterly right-of-way line of the State Highway Route No 515 thence from said point and along the easterly northerly and southeasterly right-of-way line of the said State Highway Route No 515 by the following eight straight and curved lines (1) North 21°-16½' East 25.00 feet to a point and thence (2) North 68°-43½' West 25.00 feet to a point of curve and thence (3) by a curve to the right in a northwesterly direction having a radius of 100.00 feet with a chord course of North 22°-03¾' West and a chord distance of 145.45 feet and an arc right-of-way line distance of 162.88 feet to a point of compound curve and thence (4) by a curve to the right in a northeasterly direction having a radius of 1382.69 feet with a chord course of North 36°-35' East and a chord distance of 573.40 feet and an arc right-of-way line distance of 577.57 feet to a spike on said right-of-way line and thence (5) by a curve to the right in a northeasterly direction having a radius of 1382.69 feet with a chord course of North 51°-25' East and a chord distance of 141.31 feet and an arc right-of-way line distance of 141.38 feet to a point and thence (6) South 35°-36½' East 25.00 feet to a point and thence (7) by a curve to the right in a northeasterly direction having a radius of 1357.69 feet

with a chord course of North 58°-28½' East and a chord distance of 193.30 feet and an arc right-of-way line distance of 193.44 feet to a point and thence (8) by a curve to the right in a northeasterly direction having a radius of 1357.69 feet with a chord course of North 65°-19' East and a chord distance of 131.56 feet and an arc right-of-way line distance of 131.62 feet to a point at the intersection of the southeasterly right-of-way line of State Highway Route No 515 with the southerly right-of-way line of the first above mentioned State Highway New Route No 169 leading to Bear Creek thence from said point and along the southerly right-of-way line of said State Highway new Route No 169 South 87°-29' East 1971.72 feet to the line of lands of George Skelton the place of beginning containing approximately 50.798 acres

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 822, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the city of Altoona Blair County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at an iron pin at the most southerly corner of the intersection of Pleasant Valley Boulevard and Twenty-seventh Street thence South 42° 07' East a distance of 1072.46 feet to an iron pin on the northwesterly boundary line of lands now or formerly of D. Robert Menchey thence South 25° 51' West along the said northwesterly boundary line a distance of 806.92 feet to a point thence North 64° 09' West a distance of 994.14 feet more or less to the southeasterly line of Pleasant Valley Boulevard thence North 25° 51' East along the southeasterly line of Pleasant Valley Boulevard a distance of 1209.25 feet more or less to the beginning containing approximately 23 acres

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr, Frazier, Lord, Tarr,

Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 827, on third reading, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 840, as follows:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Public Instruction for the two fiscal years commencing June first one thousand nine hundred forty-seven for the purpose of promoting farm and home safety education through the schools and farm and home organization in this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 843, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police is hereby authorized to acquire by purchase or condemnation land with improvements thereon in the Borough of Punxsutawney Jefferson County Pennsylvania suitable for use as a Pennsylvania State Police barracks

Section 2 The land shall not be acquired until the title thereto has been approved by the Department of Justice and the deed or deeds of conveyance shall be deposited with the Department of Internal Affairs

Section 3 Upon acquisition of any such property the Department of Property and Supplies may alter improve or repair the same so that the building or buildings thereon may be utilized as Pennsylvania State Police barracks

Section 4 The sum of sixty thousand dollars (\$60,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price or damages in condemnation of said land and for the alteration improvements or repair of the same to effectuate the purpose of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 873, as follows:

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation" is hereby repealed

Section 2 The provisions of this act shall become effective on the thirtieth day of June one thousand nine hundred forty-nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 874, as follows:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one hundred nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school districts employing substitutes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and last amended by the acts approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 273) and the second day of May one thousand nine hundred forty-five (P. L. 371) are hereby further amended to read as follows

Section 1201 The board of school directors in every school district in this Commonwealth shall employ the necessary qualified professional employes substitutes and temporary professional employes to keep the public schools open in their respective districts in compliance with the provisions of this act Whenever the secretary of any board of school directors with the approval of the proper district or county superintendent presents to the Superintendent of Public Instruction satisfactory evidence that it is impossible for the board [during the present wartime emergency] to obtain a suitable qualified teacher for a regular vacancy the board may [for a period not longer than one year beyond the cessation of wartime hostilities] until the thirtieth day of June one thousand nine hundred forty-nine employ a substitute to fill a bona fide vacancy until an acceptable qualified teacher can be obtained

The term "professional employe" as used in this act shall include teachers supervisors supervising principals principals directors of vocational education dental hygienists visiting teachers school secretaries the selection of whom is on the basis of merit as determined by eligibility lists school nurses who are certified as teachers and any regular full-time employe of a school district who is duly certified as a teacher

The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the said regular professional employe is absent on sabbatical leave or for the legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent or who has been employed with the approval of the district or county superintendent and of the Superintendent of Public Instruction [during the present wartime emergency and for a period not longer than one year beyond the cessation of hostilities] until the thirtieth day of June one thousand nine hundred forty-nine to fill a vacancy until an acceptable qualified teacher can be obtained [During the present wartime emergency] Until the thirtieth day of June one thousand nine hundred forty-nine

reimbursement shall be made by the Commonwealth to the school districts for substitutes employed in positions where vacancies exist

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsner,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 891, on third reading, entitled:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 918, as follows:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 928, as follows:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars \$(40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of the cost of constructing additional dormitories and the repair of existing buildings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1004, as follows:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six thousand dollars (\$6000) is hereby appropriated to the Department of Highways of the Commonwealth of Pennsylvania beginning the first day of June one thousand nine hundred forty-seven for the payment of salaries wages materials and other incidentals for the construction improvement grading and planting of roads paths and parking areas and other incidental and contingent expenses on the Daniel Boone Homestead a property of the Commonwealth administered by the Pennsylvania Historical Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1006, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) is hereby appropriated to the Pennsylvania Historical and Museum Commission for the Daniel Boone Homestead beginning the first day of June one thousand nine hundred forty-seven for the construction of a comfort station with sewage disposal and water for the same and of a bath house with toilets with sewage disposal and water for the same and for the construction alteration and repair of a caretaker's house garage and barn and for the purchase of furniture for household furnishing for the Homestead and farming implements machinery and wagons for the barn and for use in cultivating the land and for fencing grading and planting and for other incidental and contingent expenses on the Homestead property

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Mallery,	Tyler,	
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1021, as follows:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations for applicants for relisting for certain licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 936) is hereby further amended to read as follows

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of life policies not exceeding one cent for each thousand dollars of insurance valued but in no case shall the minimum fee be less than ten dollars (\$10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two

dollars for license as excess insurance broker one hundred dollars for each relisting for written examination of an applicant for license as an agent broker excess insurance broker public adjuster or public adjuster's solicitor who has failed to appear or to pass on a previous listing five dollars for license as insurance broker ten dollars for individual and twenty-five dollars for each license in the name of a copartnership or corporation including individual licenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three [for agents' license for each domestic company association and exchange fifty cents] for agents' license for each domestic, or foreign company association and exchange two dollars for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All fees collected shall be daily covered into the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Tarr,
Becker,	Frazier,	Letzler,	Taylor,
Berger,	Geltz,	Lord,	Tyler,
Blass,	Haluska,	Mahany,	Wade,
Carr,	Hare,	Mallery,	Wagner,
Chapman,	Heyburn,	Margie,	Walker,
Crider,	Holland,	Rosenfeld,	Watson,
Crowe,	Homsher,	Ruth,	Wilson,
Dent,	Jaspan,	Scarlett,	Wolfe,
DiSilvestro,	Kephart,	Snowden,	Wood, L. H.,
Doehla,	Klein,	Stevenson,	Wood, T. N.,
Donlan,	Lane,	Tallman,	Woodring,

NAYS—2

Rahausen, Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1180, on third reading, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning township of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1188, on third reading, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1190, on third reading, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the thir reading and consideration of House Bill No. 1243, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars (\$1000) is hereby specifically appropriated to the Cresson Volunteer Fire Company for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the protection of State property at the Cresson Sanitorium

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,

DiSilvestro,
Doehla,
Donlan,
Farrell,

Klein,
Lane,
Leader,
Letzler,

Stevenson,
Stiefel,
Tallman,

Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1245, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred ninety thousand five hundred dollars (\$490,500) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1246, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million seven hundred fifty thousand (\$2,750,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the

University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the University

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1247, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-five thousand five hundred dollars (\$45,500) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the senator of each such county except that for counties having more than one senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,

Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1248, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-one thousand dollars (\$41,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Willson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1249, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million one hundred fifty thousand dollars (\$2,150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine

hundred and forty-seven for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university and to further provide for the maintenance and equipment of the institute for research into the cause or causes of cancer and its diagnosis prevention and treatment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1250, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-nine thousand dollars (\$69,000) or as much thereof as may be necessary is hereby appropriated to The Franklin Institute of the State of Pennsylvania at Philadelphia for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of the maintenance of said institute

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,

Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1251, as follows:

An Act making an appropriation from the Motor License Fund to the State Employees Retirement Board to meet the obligations of the Commonwealth of the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred fourteen thousand seven hundred eleven dollars (\$1,414,711) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State Employees receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of four hundred eight-six thousand two hundred twenty dollars (\$486,220) to the credit of the Contingent Reserve Account the sum of eight hundred twenty-eight thousand four hundred ninety-one dollars (\$828,491) and to the credit of the Pennsylvania State Police Retirement Account the sum of one hundred thousand dollars (\$100,000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1252, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand seven hundred fifty-seven dollars (\$40,757) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fifteen thousand forty-two dollars (\$15,442) and to the credit of the Contingent Reserve Account the sum of twenty-five thousand seven hundred fifteen dollars (\$25,715)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1253, as follows:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-four thousand nine hundred sixty dollars (\$24,960) or as much thereof as may be necessary is hereby specifically appropriated out of the

Fish Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of nine thousand two hundred ninety dollars (\$9,290) and to the credit of the Contingent Reserve Account the sum of fifteen thousand six hundred seventy dollars (\$15,670)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1254, as follows:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-seven thousand six hundred ten dollars (\$47,610) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of seventeen thousand four hundred seventy-six (\$17,476) and to the credit of the Contingent Reserve Account the sum of thirty thousand one hundred thirty-four dollars (\$30,134)

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1255, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventeen thousand forty-two dollars (\$17,042) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of six thousand one hundred ninety-four dollars (\$6,194) and to the credit of the Contingent Reserve Account the sum of ten thousand eight hundred forty-eight dollars (\$10,848)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,

DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1256, as follows:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred thirty-seven thousand six hundred twenty-three dollars (\$737,623) or as much thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of two hundred seventy-two thousand seven hundred fifty-two dollars (\$272,752) and to the credit of the Contingent Reserve Account the sum of four hundred sixty-four thousand eight hundred seventy-one dollars (\$464,871)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1257, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-three thousand two hundred twenty-five dollars (\$63,225) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-three thousand four hundred forty-eight dollars (\$23,448) and to the credit of the Contingent Reserve Account the sum of thirty-nine thousand seven hundred seventy-seven dollars (\$39,777)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Holland,	Rahausen,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1258, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-one thousand dollars (\$91,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-eight thousand one hundred twenty-five dollars (\$68,125) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employees for the payment of postage traveling expenses telephone toll charges telegrams newspaper advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,

Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1260, as follows:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million two hundred six thousand four hundred thirteen dollars (\$10,206,413) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-seven. The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
July 1 1947	\$683,972.69	\$417,500.00	\$1,101,472.69
August 2 1947 ..	214,736.73	292,200.00	506,936.73
September 1 1947	660,138.29	120,000.00	780,138.29
October 1 1947 ..	313,818.29	80,000.00	393,818.29
December 1 1947	384,958.90	80,000.00	464,958.90
January 2 1948 ..	20,440.00	417,500.00	437,940.00
February 2 1948 ..	.....	292,200.00	292,200.00
March 1 1948 ..	10,150.00	120,000.00	130,150.00
April 1 1948	687,591.66	80,000.00	767,591.66
June 1 1948	168,000.00	80,000.00	248,000.00
July 1 1948	683,972.69	417,500.00	1,101,472.69
August 1 1948 ..	214,736.61	292,200.00	506,936.61
September 1 1948	660,138.29	120,000.00	780,138.29
October 2 1948 ..	313,818.29	80,000.00	393,818.29
December 1 1948	384,958.90	80,000.00	464,958.90
January 2 1949 ..	20,440.00	417,500.00	437,940.00
February 1 1949 ..	.....	292,200.00	292,200.00
March 1 1949 ..	10,150.00	80,000.00	90,150.00
April 2 1949 ...	687,591.66	80,000.00	767,591.66
June 1 1949	168,000.00	80,000.00	248,000.00
Total	\$6,287,613.00	\$3,918,800.00	\$10,206,413.00

Section 2 The sum of one thousand dollars (\$1000) or as much thereof as may be necessary is hereby appropriated to the Board of Finance and Revenue from the Motor License Fund to pay the cost of printing or engraving denominations of bonds required by the Loan and Transfer Agent in making exchanges for bond holders

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1261, on third reading, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1262, as follows:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	\$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Liquor License Fund	2,500.00
Out of the Fire Insurance Tax Fund	1,000.00
Out of the Fish Fund	100.00
Out of the Game Fund	500.00
Out of the School Employes' Retirement Fund	10,000.00
Out of the State Workmen's Insurance Fund ..	2,500.00
Out of the Milk Control Fund	500.00
Out of the State Stores Fund	10,000.00

Out of the State School Fund 1,000.00
 Out of the State Farm Show Fund 50.00
 Out of the State Employees' Retirement Fund . 5,000.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1263, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-seven for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred and forty-seven Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1265, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred dollars (\$600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-seven to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by

the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1266, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred thousand dollars (\$1,500,000) or as much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-seven for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,

Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1267, as follows:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of four hundred and thirty-five thousand dollars (\$435,000) or as much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and forty-seven for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1268, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million three hundred thousand dollars (\$2,300,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the University of Pittsburgh the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university including maintenance of teaching facilities in hospitals for students of the School of Medicine of the university including the Maternity Dispensaries and other dispensaries

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1269, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty-four thousand dollars (\$154,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of of Public Instruction shall determine and for defraying the equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,

Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1270, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars (\$750,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 1271, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars (\$750,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to

time during the two fiscal years beginning June first one thousand nine hundred forty-seven by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1272, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-seven for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1273, on third reading, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1276, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-seven for paying gratuities for the children between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as

shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses' school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars (\$200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1277, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty-five thousand dollars (\$165,000) or as much thereof as may be necessary is hereby specifically appropriated to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the two fiscal years beginning June first one thousand nine hundred forty-seven payment to be made according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1278, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred sixty-three thousand eight hundred dollars (\$663,800) or as much thereof as may be necessary is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the support and promotion of medical education and to provide for the maintenance and support of a research institute of preventive and industrial medicine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1332, on third reading, entitled:

An Act to establish in cities of the first class a house of detention for delinquent dependent and neglected children up to eighteen years of age and providing for the management and the maintenance thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1336, as follows:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars (\$35,000) or as much thereof as may be necessary is hereby appropriated to the Berean Manual Training School at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of the maintenance of said school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Orider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 77, on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 92, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 93, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 94, on second reading, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing certain acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 149, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge over the Susquehanna River at Retreat State Hospital Retreat Luzerne County to provide the necessary approaches thereto and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 207, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 309, entitled:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, as my colleague, Senator Barr, is temporarily off the floor of the Senate, and I would like to give him time to have a look at the amendments, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 378, entitled:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thou-

and nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain cost upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend sec. 1 (sec. 1034), page 3, line 20, by striking out all of said line; Amend sec. 1 (sec. 1034), page 4, lines 1 to 13 inclusive, by striking out all of said lines; Amend sec. 1 (sec. 1034), page 4, line 14, by striking out the letter "(b)" and inserting in lieu thereof "(a)"; Amend sec. 1 (sec. 1034), page 4, line 17, by striking out the words "in the manner which the commission shall prescribe" and inserting in lieu thereof "in accordance with law"; Amend sec. 1 (sec. 1034), page 5, line 3, by striking out the letter "(c)" and inserting in lieu thereof "(b)".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 447, on second reading, entitled:

An Act to further amend section two hundred thirteen and subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the catching possession and sale of bait fish and raising the license fee and increasing the length of time covered by tourist fishing licenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen three hundred fifteen, three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 643, entitled:

An Act to amend sections four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated furbearers and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the Board with the approval of the commission or by the commission with the approval of the Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be

inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 768, entitled:

An Act to repeal sections two and three of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 773, on second reading, entitled:

An Act to further amend Section 1103 of the Act approved the 9th day of April 1929 (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure relative to petitions for review.

be recommitted to the Committee on Judiciary General.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeal to Court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 779, entitled:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" by further providing what evidence is or is not admissible

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CRIDER offered the following amendment:

Amend Section 1, page 3, line 2, by striking out, after the word "evidence," the words "to show that he is guilty" and inserting in lieu thereof the following: "as to the guilt or the degree."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 781, entitled:

An Act to further amend section 4 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic bev-

erages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to Court and collection of delinquent taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 782, entitled:

An Act to amend the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntary suspension of publication shall not disqualify a newspaper to publish legal and official advertising

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this Act authorizing the issuance of Turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension paying the cost of the Eastern Extension or

the cost of the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved or under the provisions of this Act and which shall then be outstanding including the payment of any redemption premiums thereon refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this Act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this Act or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 834, entitled:

An Act relating to the public school system prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents superintendents of special education supervisors of agriculture supervisors of home-making and district superintendents providing for reimbursement by the Commonwealth and for reimbursements by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing inconsistent legislation

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

EXTENDED REMARKS BY MR. RAHAUSER

Mr. RAHAUSER:

SHOULD TEACHERS RECEIVE SALARY INCREASES ON MERIT RATING?

I. Theoretically this idea that good teachers should receive higher salaries sound fine.

II. Practically the idea has not been successfully worked out anywhere.

1. Good teaching cannot be measured by any concrete standard applicable in other occupations such as: amount of sales, number of cases won, production of bolts, etc.

2. No objective standards have yet been devised for evaluating accurately what children have learned in one classroom because:

a. The improvement in arithmetic, e.g., must be correlated with the ability of pupils, health, home conditions, all factors which affect learning.

b. Intangible gains are important, too, such as, responsibility, habits, learning to get along with other people. These can not be measured mathematically.

c. Educational philosophy is in a state of flux without agreement on goals and techniques. Rating depends upon the opinion of one's superior.

d. Research on reliability of ratings under present systems shows:

In one study, 60 supervisors rated a teacher on two demonstration lessons for twelve items on a ten-point scale with the following results:

In 14 of 26 ratings the results ranged from 1 to 10.

On general merit 13 rated the same teacher as superior and 13 rated that same teacher as very poor.

3. The United States Commissioner of Education, Dr. Studebaker, said this year that no system is available for fair and accurate rating of teachers for salary purposes.

4. New York City had such a merit rating system and gave it up years ago. Philadelphia and Pittsburgh found it very troublesome; both cities abandoned it.

5. Since there is no satisfactory rating system for salary purposes available:

a. It should not be required for 2500 school districts.

b. It becomes a method of writing a schedule

(1) That will cost little because ratings will be kept down and thus keep costs down.

(2) That looks good on paper, but will benefit few.

(3) That is an unacceptable substitute for a higher mandated maximum salary schedule.

6. Actually it discourages experimentation on the part of good teachers; produces rivalry within a faculty instead of building esprit de corps; encourages display rather than undramatic, but fundamentally sound techniques; puts too great a premium on "apple polishing"; brings back political pressure on teachers.

III. Mandated Salary Schedule

The Homsher schedule means increases for 4th class districts, but very little or nothing for the others.

The Homsher schedule tends to make teaching an occupation worth while for a few years, but not a career. It means turnover rather than continuity of personnel.

Education affects every source of wealth in the Commonwealth.

Its end—sustain our very existence.

It is contrary to the social forces of our state to attempt to place the additional burden of education on local government, and thereby escape the responsibility that is at stake. Mandated increments should be enacted by this Legislature and the financial responsibility for the same should be borne by the state.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" by further regulating the payment of such moneys into the State Employees' Retirement Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on second reading, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1043, on second reading, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail

be recommitted to the Committee on Public Health and Welfare.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for

Vocational Education; and prescribing penalties," broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1111, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycle pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the

disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificate titles.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services

required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 719 CALLED FROM SECOND READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Second Reading Postponed Calendar, House Bill No. 719, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 828 CALLED FROM SECOND READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Second Reading Postponed Calendar, House Bill No. 828, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION

GENERAL ASSEMBLY TO ADJOURN SINE DIE

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 5, 1947.

Resolved, (if the House of Representatives concurs), That this Regular Session of the General Assembly ad-

journal sine die Saturday, June 14, 1947, at 6:00 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages verdicts and amicable and adverse judgments imposing duties on certain county officials and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania accumulated up to May 31, 1945 to cover the deficiency.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 247) entitled:

An Act making an appropriation to the C. Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre, Philadelphia, Pennsylvania, for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 264, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the service allowance of certain employees.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Bill No. 463, entitled:

An Act to amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the

filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 502, entitled:

An Act to further amend sections four and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the eligibility requirements for examinations and the proceedings to revoke or suspend licenses and certificates.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in certain out-patient and dispensary service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 625, entitled:

An Act to further amend section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of the chairman and members of the Pennsylvania Public Utility Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 635, entitled:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses

of county and assistant county superintendents and the allocation of same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased, loaned, hired or conditionally sold from levy or sale on execution or distress for rent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection; providing for the issuance of mercantile licenses upon the payment of fees therefor; imposing powers and duties on Boards of Public Education, Receiver of School Taxes; School Treasurer, and School Controller in such districts; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public In-

struction; providing penalties; and repealing existing laws," further regulating the licensing of dental hygienists.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 841, entitled:

An Act to repeal so much of the act, approved the twenty-second day of April, one thousand eight hundred fifty (P. L. 538), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun-powder; to incorporate an association for the establishment of a house of refuge for Western Pennsylvania; and relative to the Pennsylvania State Lunatic Hospital," and its supplement as authorize aldermen, justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania, now known as the Pennsylvania Training School at Morgantown.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 843, entitled:

An Act making an appropriation to the Department of Public Instruction for administering its program of inservice training.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employees of institutions and of the courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; imposing duties on county assessing authorities, boards of revision of taxes, receivers of school taxes, imposing duties on and providing for compensation to certain county treasurers; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1337, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the

Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1342, entitled:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislation and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, June 9, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. BECKER. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 4:16 o'clock, p. m., Eastern Standard Time until Monday, June 9, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, June 5, 1947.

The House met at 10:00 a. m. Eastern Standard Time.
The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Hon. George D. Stuart a member of the House offered the following prayer:

Our Father, as representatives of the people of this great Commonwealth, help us to render with fidelity to Caesar the things that are Caesar's, and by devotion to God the things that are God's. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 4, 1947.

The Clerk proceeded to read the Journal of Wednesday, June 4, 1947, when, on motion of Mr. DIX, unanimously agreed to, the further reading was dispensed with and the Journal approved.

GRADUATING CLASS ALDAN JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have at this morning's session as guests of the Members from Delaware County, Mr. O. R. Wagner, supervising principal, and students from the Aldan Public School.

Also Mrs. Helen Wort and Mr. Henry Walton accompanied by the graduating class of the Aldan Junior High School, Aldan, located in Delaware County.

Also two teachers from Chester County, Miss Veronica O'Rourke, President of the Chester Teachers' Association and Miss Dougherty, principal of the Wetherill School.

The Chair is informed that two additional teachers, Robert Sholly and Matthew S. Donaldson of Chester High School are also present.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EWING asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 88.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township Cumberland County Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 106.

An Act to amend the title of and the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring non-resident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such application requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" including corporations within the provisions thereof.

Referred to the Committee on Judiciary.

SENATE BILL No. 230.

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives

of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market

Referred to the Committee on Labor Relations.

SENATE BILL No. 280.

An act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

Referred to the Committee on Labor Relations.

SENATE BILL No. 361.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further defining certain terms: declaring certain additional labor practices of employers and employes to be unfair; authorizing the Pennsylvania Labor Relations Board to con-

duct strike votes and votes to return to work by secret ballot, and further defining the scope of collective bargaining.

Referred to the Committee on Labor Relations.

SENATE BILL No. 437.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

Referred to the Committee on Appropriations.

SENATE BILL No. 677.

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

Referred to the Committee on Insurance.

SENATE BILL No. 678.

An Act to further amend subsection (b) of section four hundred fifteen and subsection (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining group life insurance and group accident and health insurance to include trust funds established by employers.

Referred to the Committee on Insurance.

SENATE BILL No. 723.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and provid-

ing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 758.

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by further changing the provision relating to the maximum compensation of the State Civil Service Commission.

Referred to the Committee on State Government.

SENATE BILL No. 760.

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven, eight hundred two and eight hundred seven, and to amend subsection (b) of section three, Article II, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

Referred to the Committee on State Government.

SENATE BILL No. 771.

An Act to further amend section seven and to amend section eight of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items, held by any administrator or executor, trustee, fiduciary, depository of the court, receiver or other officers of the court which are escheatable, may be joined in one action of escheat,

and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held, and further providing that the Attorney General or any other person, authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property, shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator; and further providing that the court may make orders relative to advertising and notice of the proceedings, whether the escheatable property is real or personal.

Referred to the Committee on Judiciary.

SENATE BILL No. 775.

An Act to further amend subsection (c) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employees for the purposes of collective bargaining

Referred to the Committee on Labor Relations.

SENATE BILL No. 801.

An Act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employees which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services and providing means, including regulations affecting the rights, powers and privileges of employers and employees, for the enforcement of such public policy; and providing penalties.

Referred to the Committee on Labor Relations.

SENATE BILL No. 807.

An Act to amend section 7 of the act approved the 1

day of May A D 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relaxation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding subsection (d) thereto providing for salaries for appointed members of the Commission.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. WEISS and MILLS

(Concurrent) RESOLUTION No. 61.

In the House of Representatives, June 4, 1947.

Whereas, The laws relating to justices of the peace, aldermen, and magistrates, and the amendments to such laws, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective for their intended purposes; therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to justices of the peace, aldermen, and magistrates, and to revise and restate completely such laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill or bills embodying a codification of the laws relating to justices of the peace, aldermen and magistrates to be introduced at the next regular session of the General Assembly.

Referred to Committee on Rules.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTIONS

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 4, 1947.

Resolved (if the Senate concur), that House Bill No. 1035, Printer's No. 649, entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties," be recalled from the Governor for further consideration and amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 3, 1947.

Resolved (if the Senate concur), that House Bill No. 1175, Printer's No. 650, entitled "An act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled 'An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act' by extending its provisions to include shrubs and vines under certain circumstances," be recalled from the Governor for further amendments.

CONCURRENCE IN HOUSE RESOLUTION No. 58

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 27, 1947.

Whereas Delinquency of juveniles and youth in their early twenties is creating a major problem of crime in this Commonwealth resulting in mounting financial costs to the Commonwealth and great spiritual tragedy and

Whereas Conservation of human resources is a prime concern of the Commonwealth and an adequate preventive program would decrease the terrific loss to the Commonwealth of the productive citizenship of those engaged in crime and

Whereas A survey conducted by the Pennsylvania Federation of Womens Clubs (1945-46) shows serious differences in the preventive protective and corrective services rendered to the children in the several counties of this Commonwealth therefore be it

Resolved (if the Senate concurs) That the Joint State Government Commission is hereby directed to list study and appraise the problems relating to juvenile delinquency namely its underlying causes the adequacy of existing governmental and private agencies to prevent juvenile delinquency and measures which will conserve and improve the conditions of youth in the Commonwealth and be it further

Resolved That the Joint State Government Commission shall make a report to the next regular session of the General Assembly embracing the results of its findings and its recommendations for legislation to correct existing conditions and to prepare a bill or bills embodying such recommendations

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 382

An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain

other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas

SENATE BILL No. 439

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance

SENATE BILL No. 492

An Act to amend Section 2 of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 227), entitled, "An act authorizing stock corporations, with certain exceptions, to make provision for, and to issue, shares of capital stock of any class or classes, or to change shares of authorized or outstanding capital stock of any class into one or more classes, with or without normal or par value, and with such designations, terms, relative rights, powers, privileges, preferences, limitations, restrictions and qualifications as may be specified; regulating such corporations and the liabilities of their directors; making other provisions relating to the capital and capital stock of such corporations; and repealing all acts or parts of acts inconsistent herewith," by empowering, subject to certain conditions, the boards of directors of corporations to issue out the authorized but unissued shares of capital stock the kinds and classes of shares so authorized; regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series; and empowering, subject to certain conditions, the boards of directors of corporations, as respects the authorized but unissued shares of preferred or special stock of the corporation, to divide the same into series and, subject to certain conditions and limitations, to fix and determine the relative rights and preferences of any series so established.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILL RECALLED FROM THE
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 438

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to the beneficiary designated

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 575

An Act concerning the ascertainment of principal and income and the appointment of receipts and expenses among tenants and remaindermen

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 200

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act

HOUSE BILL No. 406

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement

board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system

HOUSE BILL No. 466

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of Aeronautics.

HOUSE BILL No. 467

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

HOUSE BILL No. 472

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (Pamphlet Laws 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

HOUSE BILL No. 541

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees' defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee to include employees of the Interstate Commission on the Delaware River Basin

HOUSE BILL No. 851

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative

departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

HOUSE BILL No. 954

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

HOUSE BILL No. 1098

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

HOUSE BILL No. 1099

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and

managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

HOUSE BILL No. 1333

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department, boards and commissions shall be determined," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

With the information that the Senate has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 471, 529, 571, 713, 720, 737, 792 and 812.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 200

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds

providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act

HOUSE BILL No. 406

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of department in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system

HOUSE BILL No. 438

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to the beneficiary designated

HOUSE BILL No. 466

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

HOUSE BILL No. 467

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

HOUSE BILL No. 472

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

HOUSE BILL No. 541

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees' defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee to include employees of the Interstate Commission on the Delaware River Basin

HOUSE BILL No. 851

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employees who receive an hourly or per diem wage

HOUSE BILL No. 954

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

HOUSE BILL No. 1098

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act

relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse monies received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pension for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

HOUSE BILL No. 1099

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor districts auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

HOUSE BILL No. 1333

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned a bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 850.

An Act to further amend Clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employees' retirement system and creating a retirement board for the administration thereof establishing certain fund from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the State employee and original member to include certain employees paid on a per diem or hourly basis

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, line 1 by striking out the words "paragraph six" and inserting in lieu thereof the words "clause six nine ten and thirteen;" amend the title, page 2, line 1 by inserting after the word "employee" the words "and original member;" amend the title, page 2, line 6 by striking out the words "of the Department of Highways" and inserting in lieu thereof the words "paid on a per diem or hourly basis;" amend Section 1, page 2, line 1 by striking out the words "paragraph six" and inserting in lieu thereof the words "clauses six nine ten and thirteen;" amend Section 1, page 6, by striking out lines 9, 10 and 11 inclusive and inserting in lieu thereof the following:

The term "State employee" shall also include State officers and employees regularly employed on a per diem or hourly basis or partly at a fixed annual or monthly salary and partly on a per diem or hourly basis regular employment shall not be construed to include employment of less than one hundred days or seven hundred fifty hours in any year

Amend Section 1, page 7, line 5, by inserting the following:

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of "State employee" has been changed so as to include additional persons not previously classed as State employees if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association and he elects to become an "original member"

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the

retirement association a sum equal to all the back payments. Such such person would have made had he or she become a member of the retirement association when the retirement system was established.

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the persons employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two year period for which records are available.

Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed. Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing on his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated.

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member.

10 "New member" of the retirement association shall mean a State employee who shall have become a member of the retirement association at a date subsequent to the thirty-first day of December one thousand nine hundred twenty-four or who upon becoming a member subsequent to December thirty-first one thousand nine hundred and twenty-four elected or hereafter elects not to make back payments and in the case of a judge shall mean any judge who was not an original member and who is elected re-elected or appointed to the office of judge subsequent to the second Monday of January one thousand nine hundred and thirty any person who became a State employee as herein defined subsequent to December thirty-first one thousand nine hundred and twenty-four when he or she became such "State employee" upon payment to the retirement association of a sum equal to all back payments which such person would have made had he or she become a member at the date of becoming a "State employee" any person who became a State employee as herein defined prior to January first one thousand nine hundred and twenty-five may become a "new member" as of January 1st one thousand nine hundred and twenty-five upon payment to the retirement association of a sum equal to all back payments which such person would have made had he or she become a State employee and a member on January first one thousand nine hundred and twenty-five.

Where back payments are based on hourly or per diem wages and wage records are not available for the entire time of the persons employment the deductions for the period for which records are not available shall be computed by using the average of the earliest two years period for which records are available.

Such back payments may be spread over a period of years by having the regular payroll deduction of such person increased for not less than one-third of the amount thereof which deduction increases shall be credited to such back payments owing which shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before

such back payments have been completed any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing on his credit and his state annuity shall be reduced by an amount equivalent to the reduction which occurs in the members annuity due to the amount of the back payments not so anticipated.

* * * * *

13 "Prior service" shall mean all service as a State employee completed not later than the thirty-first day of December nineteen hundred twenty three and in the case of judges or other persons who by amendment to this act become "State employees" shall mean all service completed prior to the date of becoming eligible to be a member of the retirement association.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. FISS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews,	Gallagher,	McCosker,	Sax,
Aaronson,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buechin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Wells,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Elsemy,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 715.

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10 by inserting after the word "time" in line 10, the words "provided however that the said motion pictures shall be exhibited within church property and provided further that no admission charge shall be made."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Feitzel,	Greenwood,	Miller,	Smith, C. M.,
Woom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudensfield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buccin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,

Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Deputy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker,
Frost,	McCormack,	Sarraff,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 932.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 4, by striking out after the word "in" the words "Middle Paxton" and inserting in lieu thereof the word "Susquehanna."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID P. REESE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,

Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsach,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buchlin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Welss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Ross,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1040.

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the uorts of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 7, by striking out the words "Atlantic Ocean as a highway of commerce" and inserting in lieu thereof the words "Delaware Bay and making an appropriation"; amend Section 1, page 4, by inserting after line 13 the following:

(f) The exercising of any or all other lawful functions delegated to the commission by the compact under which it operates pertaining to the development of port and transportation facilities

Amend Section 2, page 5, line 3 by striking out the words "shall make a" and by striking out all of lines 4 and 5 including the words "forty-nine" in line 5;

Amend section 2, page 5, line 5 by inserting the following:

Shall submit a comprehensive report thereon to the Governor at the earliest practicable date and in no case later than the first day of February one thousand nine hundred forty-nine as well as such interim reports either upon individual items of the program or the program as a whole as may be advisable and appropriate

Section 3 For the purpose of carrying out the surveys provided for in this act the sum of sixty-five thousand dollars (\$65,000) is hereby appropriated to the Delaware River Joint Commission which sum only shall become available and be used in the event of the unavailability of other funds of the commission and provided the State of New Jersey has made a like appropriation to the commission for the same purpose

Section 4 It is the legislative intent of this act that authorized programs shall be initiated at the earliest practicable time and prosecuted with the utmost dispatch

Amend page 6, line 7 by striking out after the word "Section" the numeral "3" and inserting in lieu thereof the numeral "5".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TURNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Boonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsach,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buchlin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,

Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kilne,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. FLEMING from the Committee on Ways and Means, reported as committed, House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven, (Act No. 102, P. L. —), entitled "An act to provide revenue by imposing a state tax, payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks, prepared, used, sold, transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties" by designating the nature of the tax, by clarifying the provisions relating to the imposition thereof and by redefining certain terms.

Mr. HEWITT from the Committee on Appropriations, reported as committed, Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Mr. HEWITT from the Committee on Appropriations, reported as committed, Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

Mr. LEISEY from the Committee on Appropriations, reported as committed, Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Mr. LEISEY from the Committee on Appropriations, reported as committed, Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition, by purchase, condemnation or gift, of lands for the establishment of the Brandywine Battleship Park; providing for the control, management, and supervision of the property to be acquired for such park by such commission; authorizing the commission to make and to enforce rules and regulations for its preservation, development and visitation; and making appropriations.

Mr. RILEY from the Committee on Appropriations, reported as committed, Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

Mr. DAGUE from the Committee on Appropriations, reported as committed, Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts".

Mr. READINGER from the Committee on Appropriations, reported as committed, Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Mr. DAGUE from the Committee on Appropriations, reported as committed, Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

Mr. ROBERTSON from the Committee on Appropriations, reported as committed, Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned mines from stream clearance including the purchase or condemnation of lands easements or right of ways and acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" by reducing the amount appropriated by said act

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act.

Mr. STONIER from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three section four and to amend section eight of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacturing sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standard for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further providing for the unlawful use of containers and other equipment and the enforcement of the provisions of the act.

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

Mr. REAGAN from the Committee on Appropriations, reported as committed, Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act.

Mr. STUART from the Committee on Education, reported as committed, Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority

as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

Mr. YESTER from the Committee on Appropriations, reported as committed, Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereon" authorizing appropriations for support of tuberculosis sanatoria.

Mr. YESTER from the Committee on Appropriations, reported as committed, Senate Bill No. 597, entitled:

An Act to further amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria.

Mr. MIKULA from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-nine (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the provisions thereof authorizing the levy and collection of taxes.

Mr. HOFFMAN from the Committee on Education reported as committed, Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

Mr. STANK from the Committee on Appropriations, reported as committed, Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State owned institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges

for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishing and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Mr. REGAN from the Committee on Appropriations, reported as committed, Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employees in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available.

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, reported as amended, House Bill No. 904, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer, and prescribing penalties," including services of industrial insurance agents within the definition of employment.

Mr. READINGER from the Committee on Appropriations, re-reported as amended, Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two.

Mr. GYGER from the Committee on Education, reported as amended, House Bill No. 1090, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for medical examiners in lieu of medical inspectors, and prescribing their duties, making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven, (Act No. 102, P. L. —), entitled "An Act to provide revenue by imposing a state tax, payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks, prepared, used, sold, transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties" by designating the nature of the tax, by clarifying the provisions relating to the imposition thereof and by redefining certain terms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the

commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase

or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or right of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for experimental and research work relating to the pollution of streams and the prevention thereof," by reducing the amount appropriated by said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 493, entitled:

An Act to further amend clause sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further providing for unlawful use of containers, and other equipment and the enforcement of the provisions of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanitarium.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanitarium.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the provisions thereof authorizing the levy and collection of taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

Mr. DIX. Mr. Speaker, I observe that there are numerous meetings being held in the side rooms of the Hall of the House, and as the gentleman from Wyoming was honored by having his meeting called yesterday a "sneak" Committee meeting, I wonder if the Philadelphia Inquirer is going to term all these brief meetings today as "sneak" meetings like they did when the gentleman from Wyoming, Mr. Greenwood, called his meeting yesterday of the Law and Order Committee.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 218

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

And has appointed Messrs. Farrell, Kephart and Jaspan a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

CONFERENCE COMMITTEE APPOINTED ON SENATE BILL No. 218

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House Messrs. Charles C. Smith, Costa and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 152

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 152, entitled:

An Act to reenact clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court or common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

And has appointed Messrs. Stevenson, Berger and

Rosenfelt a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. SORG. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 152

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. Clarence E. Moore, Sollenberger and Capano.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 653, entitled:

An Act relating to members of the bureau of fire in cities providing subject to the approval of the electors for three-platoon system for such members with certain exceptions regulating hours of service hours of rest and annual vacation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to Adoption," further providing for the jurisdiction of adoption proceedings, the contents of petitions, necessary consents, hearings, and decrees, and validating certain adoptions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 709, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain

of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "accumulated deductions," and further regulating withdrawal and payments thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the compensation and raising the maximum compensation in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 763, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing maximum per diem compensation of members of the State Civil Service Commission allowable in any one year

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1023, entitled:

An Act to further amend section five hundred and sixty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the budgetary control of all expenditures and designating the funds that may legally be expended during the fiscal year

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for

the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 22, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798, No. 591), entitled "An act providing a fixed charge, payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks, and the distribution of the same for county, school, township, and road purposes, in the counties, school districts, and townships where such forests are located; and making an appropriation," increasing the amounts which the counties will receive from the State for forest reserves.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 72, Printer's No. 447,

Senate Bill No. 80, Printer's No. 273,

Senate Bill No. 169, Printer's No. 453 and

Senate Bill No. 170, Printer's No. 454

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved, the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and

of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical, training and employment services to certain blind persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 240, Printer's No. 64 and

Senate Bill No. 373, Printer's No. 71,

were passed over at the request of the SPEAKER.

There being no objection,

Senate Bill No. 459, Printer's No. 227,

was passed over at the request of Mr. HALLER.

There being no objection,

Senate Bill No. 491, Printer's No. 231 and

Senate Bill No. 513, Printer's No. 446,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 580, Printer's No. 426 and

Senate Bill No. 598, Printer's No. 445,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing eighth class counties to acquire operate and lease aviation landing fields and airdromes conferring power of eminent domain for such purposes authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State Federal or other public agencies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 664, Printer's No. 374,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 680, Printer's No. 305,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including, liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon

the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that the records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 714, Printer's No. 283, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10, of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain

costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures

The first section was read.

On the question,

Will the House agree to the section?

Mr. SORG offered the following amendment:

Amend Section 1, page 4, line 7, by inserting after the word "commingled" and before the word "moneys" the following: "except in any county which does not have sufficient moneys in such special fund to provide for payments designated in the current annual budget for payment from such special fund for the purposes of construction, reconstruction, maintenance and repair of county-owned roads, highways and bridges, property damages, interest and principal payments on road or bridge bonds or sinking fund charges for such bonds becoming due within the current calendar year, the county for the purpose of such payments, and such payments only, may borrow and place in such special fund moneys not in excess of the Liquid Fuels Tax Funds to be received during the current calendar year, and all such loans shall be repaid from such special fund before the expiration of the current calendar year and not thereafter."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 762, Printer's No. 810, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institu-

tions providing for the management and operation or closing and abandonment thereof and the maintenance of monetal patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 551, Printer's No. 831 and

House Bill No. 800, Printer's No. 828

were passed over at the request of the SPEAKER.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SOLLENBERGER asked and obtained unanimous consent to add the names of Messrs. Helm and McMillen as additional sponsors to House Bill No. 417.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 417, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1209.1 of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty five (P. L. 1112) is hereby repealed

Section 2 Article XII of said act is hereby amended by adding after section one thousand two hundred sixteen thereof a new subdivision to read as follows

Compensation of Professional Employees

Section 1217 For the purposes of this subdivision

(1) "Teacher" shall include all professional employees and temporary professional employees who devote fifty per centum (50%) of their time or more to teaching or other direct educational activities such as class room teachers demonstration teachers museum teachers counselors librarians school nurses dental hygienists home and school visitors and other similar professional employees and temporary professional employees certificated in accordance with the qualifications established by the state council of education

(2) "Standard certificate" shall mean any one of the following certificates permanent state certificate state normal school certificate state normal school diploma temporary standard certificate permanent standard certificate state standard limited certificate temporary extension standard certificate permanent extension standard certificate

(3) "Service increments" shall mean increases in annual salary granted to all professional employees and temporary professional employees by reason of their years of service in the school district or vocational school district

(4) "Promotional Increments" shall mean increases in annual salary granted to a limited number of professional employees above and beyond the minimum annual salary and all service increments on the basis of merit a professional employee who has received the full number of service increments or is receiving a salary equal to or in excess of the minimum salary plus all service increments shall be eligible for promotional increments during the school year 1948-1949 and subsequent school years when recommended by the county or district superintendent of proper jurisdiction and approved by the employing Board of School Directors or Board of Public Educa-

tion in accordance with minimum standards prescribed by the Superintendent of Public Instruction these minimum standards shall include recognition of (1) professional advancement (II) contributions to pupil development (III) cooperation in the advancement of school objectives

Section 1218 Except as hereinafter otherwise provided school districts of the first class shall pay all regular and temporary teachers supervisors and principals in the public schools of the district the following minimum salaries and increments

(1) Teachers holding a standard certificate minimum annual salary two thousand one hundred seventy-five dollars (\$2175) minimum annual service increment one hundred seventy-five dollars (\$175) minimum number of service increments five (5) minimum promotional increment one hundred seventy-five dollars (\$175) minimum number of promotional increments three (3)

(2) Teachers holding a college certificate minimum annual salary two thousand two hundred dollars (\$2200) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8) minimum annual promotional increment two hundred dollars (\$200) minimum number of promotional increments four (4)

(3) Teachers holding a master's degree or its equivalent minimum annual salary two thousand four hundred dollars (\$2400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8) minimum annual promotional increment two hundred dollars (\$200) minimum number of promotional increments four (4)

(4) Supervisors holding a standard or college certificate minimum annual salary two thousand four hundred dollars (\$2400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8) minimum annual promotional increment two hundred dollars (\$200) minimum number of promotional increments four (4)

(5) Supervisors holding a master's degree or its equivalent minimum annual salary two thousand six hundred dollars (\$2600) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8) minimum annual promotional increment two hundred dollars (\$200) minimum number of promotional increments four (4)

(6) Elementary principals who devote one-half or more of their time to supervision and administration who hold a standard or college certificate minimum salary three thousand four hundred dollars (\$3400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8)

(7) Such elementary principals who hold a master's degree or its equivalent minimum annual salary three thousand six hundred dollars (\$3600) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8)

(8) Secondary principals who devote one-half or more of their time to supervision and administration who hold a standard or college certificate minimum annual salary four thousand two hundred dollars (\$4200) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8)

(9) Such secondary principals who hold a master's degree or its equivalent minimum annual salary four thousand four hundred dollars (\$4400) minimum annual service increment two hundred dollars (\$200) minimum number of service increments eight (8)

Section 1219 Except as hereinafter otherwise provided school districts of the second third and fourth class and vocational school districts shall pay all regular and temporary teachers supervisors principals and supervising principals in the public schools of the district the following minimum salaries and increments

(1) Teachers holding a standard certificate minimum annual salary one thousand nine hundred fifty dollars (\$1950) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments five (5) minimum annual promotional increment one hundred fifty dollars (\$150) minimum number of promotional increments three (3)

(2) Teachers holding a college certificate minimum annual salary two thousand dollars (\$2000) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8) minimum annual promotional increment one hundred fifty dollars (\$150) minimum number of promotional increments four (4)

(3) Teachers holding a master's degree or its equivalent minimum annual salary two thousand two hundred dollars (\$2200) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8) minimum annual promotional increment one hundred fifty dollars (\$150) minimum number of promotional increments four (4)

(4) Supervisors who devote one-half or more of their time to supervision or instruction and who hold a standard or college certificate minimum annual salary two thousand two hundred dollars (\$2200) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8) minimum annual promotional increment one hundred fifty dollars (\$150) minimum number of promotional increments four (4)

(5) Such supervisors who hold a master's degree or its equivalent minimum annual salary two thousand four hundred dollars (\$2400) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8) minimum annual promotional increment one hundred fifty dollars (\$150) minimum number of promotional increments four (4)

(6) Principals who devote one-half or more of their time to supervision and administration having less than twenty teachers under their supervision and who hold a standard college certificate minimum annual salary two thousand six hundred dollars (\$2600) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(7) Such principals holding a master's degree or its equivalent minimum annual salary two thousand eight hundred dollars (\$2800) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(8) Such principals having twenty or more teachers under their supervision but less than forty and who hold a standard or college certificate minimum annual salary two thousand nine hundred dollars (\$2900) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(9) Such principals who hold a master's degree or its equivalent minimum annual salary three thousand one hundred dollars (\$3100) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(10) Such principals having forty or more teachers under their supervision but less than sixty and who hold a standard or college certificate minimum annual salary three thousand two hundred dollars (\$3200) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(11) Such principals holding a master's degree or its equivalent minimum annual salary three thousand four hundred dollars (\$3400) minimum annual service increment one hundred fifty dollars (\$250) minimum number of service increments eight (8)

(12) Such principals having sixty or more teachers under their supervision and who hold a standard or college certificate minimum annual salary three thousand five hundred dollars (\$3500) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(13) Such principals who hold a master's degree or its equivalent minimum annual salary three thousand seven hundred dollars (\$3700) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(14) Supervising principals having less than twenty

teachers under their supervision and who hold a standard or college certificate minimum annual salary two thousand eight hundred dollars (\$2800) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(15) Such supervising principals who held a master's degree or its equivalent minimum annual salary three thousand dollars (\$3000) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(16) Supervising principals having twenty or more teachers under their supervision but less than forty and who hold a standard or college certificate minimum annual salary three thousand two hundred dollars (\$3200) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(17) Such supervising principals who hold a master's degree or its equivalent minimum annual salary three thousand four hundred dollars (\$3400) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(18) Supervising principals having forty or more teachers under their supervision but less than sixty and who hold a standard or college certificate minimum annual salary three thousand six hundred dollars (\$3600) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(19) Such supervising principals who hold a master's degree or its equivalent minimum annual salary three thousand eight hundred dollars (\$3800) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(20) Supervising principals having sixty or more teachers under their supervision and who hold a standard or college certificate minimum annual salary four thousand dollars (\$4000) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

(21) Such supervising principals who hold a master's degree or its equivalent minimum annual salary four thousand two hundred dollars (\$4200) minimum annual service increment one hundred fifty dollars (\$150) minimum number of service increments eight (8)

Section 1220 All college degrees and master's degrees or equivalents in order to entitle a professional employee to additional compensation shall have been earned at a college or university approved by the state council of education the equivalent of a master's degree shall be defined by the state council of education Any professional employee who during the term of his employment shall earn a college degree or a masters degree or its equivalent shall commencing with the next succeeding school year be entitled to the compensation prescribed for his new status which shall be at least two hundred dollars (\$200) in excess of the increment earned by him during the previous year

Section 1221 In all school districts and vocational school districts the minimum annual salary of teachers who do not hold standard certification for any grade or subject which they teach shall be one thousand six hundred dollars (\$1600)

Section 1222 The minimum salary of all part-time teachers of children of exceptional physical or mental condition unable to attend regular public school or of part-time teachers supervisors and principals employed in the extension schools and evening vocational classes and classes of the Commonwealth established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes shall be two dollars and fifty cents (\$2.50) per hour

Section 1223 Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors teachers who may be employed in giving instruction for

only part of a day shall render such other service such period of time per day as the board of public education or the board of school directors may direct but such service cannot be assigned to such teacher by the board of public education or the board of school directors The salary paid to such teacher shall be proportionate to the number of hours of service rendered

Section 1224 Substitutes shall be paid not less than minimum salary provided for by this subdivision of the event they are employed for less than a full school year the proportionate part of such minimum salary shall be paid to the proportionate part of the school year during which they were employed arrived at by dividing the number of days during which a substitute was employed by the total number of days the schools of the district were in session during the school year

Section 1225 The increments herein provided for shall be applicable only where the beneficiaries thereof remain in the service of the same school district Where teachers enter a new district they shall enter at a position in the schedule to be agreed upon between said teachers and the employing districts which agreement shall be made a part of the contract between them.

Section 1226 Each person employed by any school district or vocational school district on the effective date of this subdivision as a teacher supervisor principal supervising principal receiving compensation equivalent to or in excess of the minimum salary prescribed by the applicable schedule shall for the school year 1947-1948 be raised to the next highest step on the applicable schedule unless such increase shall be less than one increment in which case he shall be raised to the next higher step on the applicable schedule Each such person receiving compensation less than the minimum salary prescribed by the applicable schedule shall for the school year 1947-1948 be raised to such minimum salary as a person employed by any school district or vocational school district on the effective date of this act as a teacher holding a college certificate or a master's degree or its equivalent or as a supervisor or a principal receiving compensation less than the minimum salary prescribed by the applicable schedule shall for the school year 1947-1948 be raised to the next succeeding step on the applicable schedule in any case where the salary provided for in this section for the school year 1947-1948 is less than the minimum provided for the particular professional employee for the school year 1947-1948 by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Pamphlet Laws 1112 Act No. 4) Such professional employee shall be raised to the salary he would receive under the provisions of said act of May twenty-ninth one thousand nine hundred forty-five except in such case no school district or vocational school district shall be required either for the school year 1947-1948 or for any school year thereafter to raise the salary of any person to an amount in excess of the minimum salary and all increments applicable to such person under the provisions of this act

Section 1227 In order to pay the additional amounts of salaries provided for by this act the board of school directors or board of public education of any school district may for the fiscal year 1947 or 1947-1948 as the case may be reverse its budget by increasing its appropriations or appropriations for salaries of professional employees of the school district for such fiscal year the funds therefor may be provided from unexpended balances in existing appropriations from unappropriated revenue if necessary or from temporary loans

Section 1228 All district superintendents county superintendents assistant county superintendents supervisors of special education supervisors of agriculture and supervisors of homemaking shall be entitled to the following minimum annual salaries

(1) District superintendents in districts having a population of less than thirty thousand (30,000) five thousand dollars (\$5000)

(2) District superintendents in all districts having

population of thirty thousand (30,000) or more six thousand dollars (\$6000)

(3) County superintendents in counties having a population of less than forty-five thousand (45,000) five thousand dollars (\$5000)

(4) County superintendents in counties having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) five thousand five hundred dollars (\$5500)

(5) County superintendents in counties having a population of one hundred fifty thousand (150,000) or more six thousand dollars (\$6000)

(6) Assistant county superintendents in all counties four thousand five hundred dollars (\$4500)

(7) County supervisors of special education in all counties four thousand five hundred dollars (\$4500)

(8) County supervisors of agriculture in all counties four thousand five hundred dollars (\$4500)

(9) County supervisors of homemaking in all counties four thousand dollars (\$4000)

Section 1229 All of the schedules set forth in this act prescribe a minimum salary in each instance and where an increment is prescribed it is also a minimum it is it is within the power of the boards of public education boards of school directors or county conventions of school directors as the case may be to increase for any person or group of persons included in any schedule the initial salary or the amount of an increment or the number of increments

Nothing contained in this act shall be construed to interfere with or discontinue any salary schedule now in force in any school district provided such schedule shall meet the requirements of this act nor to prevent the adoption of any salary schedule in conformity with the provisions of this act nor to prevent the granting of Temporary or emergency increases for any period of time and the discontinuance of such increases at the end of the period for which the temporary increases were granted and temporary or emergency increases heretofore granted and the discontinuance thereof at the end of the period for which granted are hereby ratified confirmed and made valid notwithstanding the fact that the same may have been done without previous authority of law

No school district shall be required to pay any increments provided for hereby to any teacher for any part of the probationary period of such teacher

Section 3 Section one thousand two hundred forty-one of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1241 For the purposes of this subdivision of Article XII of this act the following terms shall have the following meanings

(1) "District Pupils" of a school district shall designate all pupils enrolled in the public schools of the Commonwealth and of adjacent states who are residents of a given school district except those pupils who are enrolled in the public schools maintained by the vocational school district the territorial limits of which include the school district "District Pupils" of a vocational school district shall designate all pupils enrolled in the public schools maintained by the vocational school district who are residents of the district

(2) "District Teaching Units" A district's number of teaching units shall be obtained as follows (1) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school (2) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school and (3) add the quotients obtained under (1) and (2) above

(3) "Average Daily Membership" shall be computed in accordance with the rules of procedure as established by the Department of Public Instruction for the school term 1944-1945

(4) "Minimum Subsidy" shall designate the minimum amount per teaching unit payable by the Commonwealth to any school district or vocational school district under

the provisions of this act The minimum subsidy shall be [six hundred dollars (\$600)] for the school year 1946-1947 and the school year 1947-1948 shall be seven hundred dollars (\$700) and for each school year thereafter eight hundred dollars (\$800)

(5) "Maximum Subsidy" shall designate the maximum amount per teaching unit which may be payable by the Commonwealth to any one school district or vocational school district under the provisions of this act The maximum subsidy for the school year [1945-1946 and the school year 1946-1947 shall be one thousand eight hundred dollars (\$1800) and for each school year thereafter two thousand dollars (\$2000)] 1946-1947 shall be two thousand two hundred dollars (\$2200) for the school year 1947-1948 two thousand three hundred dollars (\$2300) for the school year 1948-1949 two thousand four hundred dollars (\$2400) for the school year 1949-1950 two thousand five hundred dollars (\$2500) and for each school year thereafter two thousand six hundred dollars (\$2600)

(6) "Standard Reimbursement Fraction" School districts or vocational school district's standard reimbursement fraction shall be computed annually in the month of December by the Department of Public Instruction

In the case of a school district its standard reimbursement fraction shall be computed for the school year [1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars (\$1800) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by one thousand eight hundred dollars (\$1800) and for the school year 1947-1948 and for every school year thereafter by subtracting from two thousand dollars (\$2000) an amount determined by multiplying the school district's assessed valuation per district teaching unit by five-one thousandths (.005) and dividing the difference so obtained by two thousand dollars (\$2000)] 1946-1947 by subtracting from two thousand two hundred dollars (\$2200) an amount determined by multiplying the school district's assessed valuation per district teaching unit by six-one thousandths (.006) and dividing the difference to be obtained by two thousand two hundred dollars (\$2200) for the school year 1947-1948 by subtracting from two thousand three hundred dollars (\$2300) an amount determined by multiplying the school district's assessed valuation per district teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand three hundred dollars (\$2300) for the school year 1948-1949 by subtracting from two thousand four hundred dollars (\$2400) an amount determined by multiplying the school district's assessed valuation per district teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand four hundred dollars (\$2400) for the school year 1949-1950 by subtracting from two thousand five hundred dollars (\$2500) an amount determined by multiplying the school district's assessed valuation per teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand five hundred dollars (\$2500) and for every school year thereafter by subtracting from two thousand six hundred dollars (\$2600) an amount determined by multiplying the school district's assessed valuation per teaching unit by six-one thousandths (.006) and dividing the difference so obtained by two thousand six hundred dollars (\$2600)

A school district's assessed valuation to be used for purposes of computing the standard reimbursement fraction shall be the assessed valuation of the district's taxable real property as determined for the preceding year for county tax purposes Provided That if the assessed valuation as determined for county purposes does not adequately represent the market values of the taxable property the State Council of Education may ascertain such market values and base the reimbursement to any one school district upon the market values ascertained by the State Council of Education provided further that if any system for the equalization of the values of real property throughout the Commonwealth shall be provided

for by Act of Assembly each district's assessed valuation to be used for purposes of computing its standard reimbursement fraction shall be the valuation placed upon its taxable real property under such system

In the case of a vocational school district its standard reimbursement fraction shall be computed for the school year [1945-1946 and the school year 1946-1947 by subtracting from one thousand eight hundred dollars (\$1800) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by one thousand eight hundred dollars (\$1800) and for the school year 1947-1948 and for every school year thereafter by subtracting from two thousand dollars (\$2000) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand dollars (\$2000)] 1946-1947 by subtracting from two thousand two hundred dollars (\$2200) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand two hundred dollars (\$2200) for the school year 1947-1948 by subtracting from two thousand three hundred dollars (\$2300) an amount determined by multiplying the school district's assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand three hundred dollars (\$2300) for the school year 1948-1949 by subtracting from two thousand four hundred dollars (\$2400) an amount determined by multiplying the assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand four hundred dollars (\$2400) for the school year 1949-1950 by subtracting from two thousand five hundred dollars (\$2500) an amount determined by multiplying the school district's assessed valuation per district teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand five hundred dollars (\$2500) and for every school year thereafter by subtracting from two thousand six hundred dollars (\$2600) an amount determined by multiplying the school district's assessed valuation per teaching unit by three-one thousandths (.003) and dividing the difference so obtained by two thousand six hundred dollars (\$2600)

A school district's or vocational school district's number of district teaching units for purposes of determination of the standard reimbursement fraction shall be obtained as follows (1) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (2) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (3) add the quotients obtained under (1) and (2) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (1) and (2) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district. Provided That no school district or vocational school district shall be credited with less than one teaching unit or be assigned a reimbursement fraction lower in value than the minimum subsidy divided by the maximum subsidy. Provided further That until the end of the school term during which the present hostilities shall cease as determined by proclamation of the Governor all one-room schools operated in accordance with the provisions of the act to which this is an amendment shall be credited with at least one teaching unit. Upon cessation of such hostilities such one-room schools shall be credited with at least one teaching unit only if their operation is approved by the State Council of Education. The state council of education shall withhold its approval of any one-room one teacher school unless (1) topography distance or condition of roads are such as to make transportation of pupils impractical or (2) it is impossible to accommodate pupils in existing graded schools in the district or other districts or (3) the district is financially unable to construct a consolidated school

Section 4 Section one thousand two hundred forty-two of said act as added by the act approved the twentieth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1242 Every school district and every vocational school district shall be paid by the Commonwealth for the fiscal year 1945-1946 and for every school year 1946-1947 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by one thousand eight hundred dollars (\$1800) two thousand two hundred dollars (\$2200) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1947-1948 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand two hundred dollars (\$2200) two thousand three hundred dollars (\$2300) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1948-1949 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand four hundred dollars (\$2400) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1949-1950 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand five hundred dollars (\$2500) and by the district's standard reimbursement fraction

Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1950-1951 and for every school year thereafter on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by two thousand six hundred dollars (\$2600) and by the district's standard reimbursement fraction

Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the state council of education has approved the continuation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the state council of education as being required to provide a satisfactory educational program in such school provided that the number of teachers employed is not less than the number approved

For no year shall any school district or vocational school district receive less than [six hundred dollars (\$600)] the minimum subsidy per teaching unit

Section 5 Article XII of said act is hereby amended by adding after section one thousand two hundred forty-two thereof a new section to read as follows

Section 1242.1 Every school district and every vocational school district shall be paid by the Commonwealth

the school year 1947-1948 and for every school year thereafter on account of minimum promotional increments provided for by this act an amount to be determined by multiplying the number of minimum promotional increments entitled to reimbursement paid by the district during the year by the district's standard reimbursement fraction the Commonwealth shall not make any payments on account of minimum promotional increments paid to more than twenty-five per centum (25%) of the certificated professional employees eligible for promotional increments under the jurisdiction of a county superintendent or a district superintendent as the case may be the county superintendent shall allocate the payments by the Commonwealth on account of minimum promotional increments among the districts under his jurisdiction on the basis of the number of district teaching units of each district as compared with the total number of district teaching units of all the districts under his jurisdiction payments on account of minimum promotional increments shall be made during the school year following the school year during which the promotional increments were paid by the district

Section 6 Section one thousand two hundred forty-four said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1244 Each school district regardless of classification sending [high school] pupils to another school district or vocational school district or to a joint [high] school approved by the Department of Public Instruction shall be paid by the Commonwealth for the school term [1945-46] 1946-1947 and for every school term thereafter on account of [high school] tuition an amount to be determined by multiplying the sum of "overhead cost per [high school] pupil" and "instruction cost per elementary pupil" or "instruction cost per high school pupil" as the case may be as defined in section one thousand two hundred sixty of this act [less the rental charge of eight dollars (\$8)] or in the case of district pupils attending [high] school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (1) by the number of district pupils sent to [high] schools of other districts or to a joint [high] school and (2) by the district's standard reimbursement fraction and (3) (.85) Seventy-five-one-hundredths (.75) and (4) subtracting from the amount so obtained the per pupil State appropriation paid to the district where the pupil attends [high] school multiplied by the number of pupils

Section 7 Section one thousand two hundred forty-five said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1245 Every school district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school [term] year 1945-1946 and for every school [term] year thereafter the difference between the tuition charge per high school pupil and the tuition charge per vocational school pupil in accordance with the provisions of section one thousand two hundred sixty of the School Code but in no event less than the sum of thirty-five dollars (\$35) in vocational agriculture and vocational industrial education twenty dollars (\$20) in vocational home economics education and fifty dollars (\$50) in vocational distributive education per pupil average daily membership in vocational curriculums approved by the Superintendent of Public Instruction

Section 8 Section one thousand two hundred forty-seven said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1247 Every School district and every vocational school district regardless of classification shall be paid by the Commonwealth for the school [term 1945-1946] year 1946-1947 and for every school [term] year thereafter an account of approved vocational extension classes at the rate of two dollars (\$2) per hour of instruction

approved by the Superintendent of Public Instruction the full amount expended for teachers' salaries provided that for purposes of reimbursement no teacher's salary shall exceed five dollars (\$5) per hour in addition reimbursement shall be paid for the amount expended for administration supervision and maintenance of adult education classes provided that such expenditures shall not exceed twenty per centum (20%) of the total amount of salaries paid to teachers no reimbursement hereinbefore set forth shall be paid to any school district or vocational school district unless the program shall have the prior approval of the Superintendent of Public Instruction

Section 9 Sections one thousand two hundred fifty-five and one thousand two hundred fifty-seven of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) are hereby amended to read as follows

Section 1255 The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts and vocational school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred forty-five and ending on May thirty-first one thousand nine hundred forty-seven and each biennium thereafter on the data and material contained in the certificates which school districts and vocational school districts are required by these amendments to file with the superintendent immediately preceding the beginning of each biennium the superintendent shall apportion and allot the same to and among the respective districts the amount paid to any district within any biennium shall be computed on the data and information contained in the certificates required to be filed each year as herein provided Provided That if any system for the equalization of the values of real property throughout the Commonwealth shall be provided for by act of Assembly each district's assessed valuation to be used for purposes of computing its standard reimbursement fraction shall be the valuation placed upon its taxable real property under such system in no case shall the amount paid to any district exceed the amounts computed on such data

Section 1257 The amount apportioned and allotted to each school district or vocational school district shall be divided into equal semi-annual installments and the Superintendent of Public Instruction shall draw his requisition semi-annually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be made to fourth class school districts and to vocational school districts during the months of [February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October] March and October of each year and to first second and third class districts during the months of April and November of each year

In the event that hereafter any school district for a period of two successive years employs the same teacher who does not hold a standard certificate for any grade or subject which he teaches but only an emergency or temporary certificate or for a period of two successive years employs in the same position teachers who do not hold standard certificates for any grades or subjects which they teach but only emergency or temporary certificates such school district shall forfeit the sum of three hundred dollars (\$300) for each teacher so employed or for each position so filled any school district that employs any teacher who does not hold any form of teacher certification to teach in the public schools of this Commonwealth shall forfeit one reimbursement unit for each such teacher employed The Superintendent of Public Instruction shall in either event deduct such sum or sums from the amount of the Commonwealth appropriation otherwise due such district under the provisions of this act

Section 10 Section one thousand two hundred sixty of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1260 A school district or vocational school district receiving elementary or high school pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows

(1) General add the salaries of secretaries treasurers auditors superintendents the cost of library books the salaries of librarians lectures health medical nurse and dental services the wages of janitors and other comparable employes the cost of fuel water light and power the cost of maintenance of school plant including ordinary repairs but not including alterations or remodeling the cost of attendance at teachers' institutes and the district's contribution to the retirement fund on behalf of the above listed employes and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's public schools the quotient so obtained shall be designated the "overhead cost per pupil"

(2) Elementary tuition charge add the salaries of supervisors principals clerks assistants and teachers employed in the receiving district's elementary schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's elementary schools the cost of text books and supplies of the second class used in the district's elementary schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's elementary schools the quotient so obtained shall be designated as the "instruction cost per elementary pupil" add to the instruction cost per elementary pupil the overhead cost per pupil and a rental charge of eight dollars (\$8) per pupil for the use of the receiving district's school plant deduct from the amount so obtained the per pupil state appropriation on account of elementary school teaching units the cost so determined shall be the "tuition charge per elementary pupil"

(3) High school tuition charge add the salaries of supervisors principals clerks assistants and teachers employed in the receiving districts high schools the district's contribution to the retirement fund on behalf of teachers supervisors and principals employed in the district's high schools the cost of text books and supplies of the second class used in the district's high schools and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's high schools the quotient so obtained shall be designated as the "instruction cost per high school pupil" add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of [eight dollars (\$8)] ten dollars (\$10) per pupil for the use of the receiving district's school plant deduct from the amount so obtained the per pupil state appropriation on account of high school teaching units the cost so determined shall be the "tuition charge per high school pupil"

(4) Vocational Tuition Charge Add the salaries of directors of Vocational Education supervisors coordinators principals clerks assistants teachers employed in the receiving school district's department or class in Vocational Industrial Vocational Agricultural Vocational Home Economics or Vocational Distributive Education the district's contribution to retirement on behalf of such employes the cost of textbooks and supplies used in the specific program one-tenth of the actual purchase and installation cost of equipment until fully amortized and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's specific program of Vocational Education The quotient so obtained shall be designated as the "instruction cost per Vocational Pupil" Add to the instruction cost per Vocational Pupil the "overhead cost per pupil" and a rental charge of eight dollars (\$8) per pupil for the use of the receiving district's school plant Deduct from the amount so obtained the per pupil State appropriation on account of high school teaching units The cost so determined shall be the "tuition charge per Vocational School Pupil"

Section 11 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of

the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 12 This act shall become effective on the first day of July one thousand nine hundred forty-seven

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, is House Bill No. 417 now before the House?

The SPEAKER. The bill is now before the House on third reading. It has not yet been agreed to on third reading.

Mr. ANDREWS. Mr. Speaker, I move that House Bill 417 be recommitted to the Committee on Education, with instructions that the Committee re-report the bill to this House on Monday, June 9, 1947, in the form in which House Bill 417 passed this House on second reading on June 2, 1947.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker and Members of the House, since I desire to speak rather longer than usual, let those who cannot hear me thank God and be comfortable.

House Bill 417 was introduced in this House on February 18. The provisions in the bill now before us have never been discussed in this House. Probably every Member within the sound of my voice has received telegrams asking that House Bill 417 be supported. Apparently the number 417 is regarded as a magic number, and many of those who are sending telegrams asking that House Bill No. 417 be supported do not have the faintest notion as to what that bill now provides.

House Bill 417 was known originally as the Sollenberger-Stuart bill. Two very diligent Members of the House who have worked heroically, and who have endeavored to serve the interest not only of the teachers but of the schools in general, and the public, have been added as sponsors to House Bill 417, and while it is known as the Sollenberger-Stuart bill, House Bill 417 could probably be known as the Weller bill. The bill is the Weller bill because Weller of the State Department of Education virtually wrote it in its present form, because the type of Educational bills we have before us contain allocation figures and reimbursement machinery that are lost in the realm of logarithms.

In order to understand a Department of Education bill in these days it is necessary to be skilled in higher mathematics. I repeat that we have in our possession a measure that has been before us since February 18th, and I repeat that actually we are faced with a measure now which the Members of this House have not read, which they have had no opportunity to read and which the people of this Commonwealth and teachers and school boards have had no opportunity to acquaint themselves with, and while the bill has an old number, it is a new bill.

Therefore without any knowledge of this bill, which was to be a key measure of this administration, the Members of this House, the teachers and the public are asked to swallow it sight unseen. We must pass House Bill 417 today, it seems in order to avoid an unpleasant parliamentary situation. That same parliamentary situ-

ion has been looming on the horizon these many weeks. It was unnecessary for a measure to have reached the present pass.

Now, as far as I am concerned I am talking principally to the Official Stenographer and perhaps to the Majority Leader. Those who would not be disposed to listen would be as far as I am concerned be privileged to depart, provided that they give their power of attorney to the Majority Leader.

They might as well be voted by the Majority Leader; by His Excellency The Governor. There is actually only one man in this House outside of the Speaker today who has power to function, and that man is His Excellency The Governor. I see the shadow; the substance is elsewhere. The Governor tells this House when to stand up and when to sit down, when to get up and when to go to bed. All I have read for weeks in connection with House Bill 417 is that the Governor won't stand for this—the Governor won't stand for that or he won't stand for something else.

There is nothing quite as terrible from the standpoint of sound procedure as the righteous man who happens to be wrong. The possibility of potential disaster increases when to righteousness and being wrong there is added stubbornness. There is a point at which stubbornness ceases to be a virtue. Absolutism, totalitarianism, are as obnoxious when clothed in the robes of sanctity as they are when the robes they wear are dabbled with blood. That the Governor won't stand for this and the Governor won't stand for that are phrases that represent an evasion and not a reason, because even a Governor can be asked for what this Legislature wants and what the people of Pennsylvania want.

House Bill 417 made its appearance in this chamber backed by public sentiment, backed by the Press, backed by intelligent members of school boards.

The purposes which House Bill 417 embodied made it not simply a teachers' bill; it was in a very real sense a people's bill. The tragic feature in connection with House Bill 417 is the fact that the measure was in effect laughed before it was born. Without having studied the school problems, with an imperfect knowledge of the financial problems that confronted the Commonwealth, Pennsylvania's Chief Executive by a mere guess, by rule of thumb, set aside twenty-seven million dollars for the possible increase of teachers' salaries. Not twenty-six million, not twenty-eight million, not twenty-nine million, but exactly twenty-seven million and no more. Having set aside that twenty-seven million in the early days of this session, His Excellency The Governor prefers to remain immovable, perched on that twenty-seven million dollar pedestal. All of the maneuvers since then, all of the action and reaction, all of the hearings, all the debate in Committee have been pretense, shadow boxing as far as the ultimate power in charge was concerned.

House Bill 417 as submitted today for the consideration of the House has always been the bill that would ultimately be called to pass in the final days of the session. So completely is that fact recognized and realized that with this supposedly key measure pending on the calendar many of the Members have departed from the scene knowing that their ballot has been cast for them in advance and was decided many months ago.

The tax structure upon which this bill is based represents taxation expedient rather than taxation policies. The present administration's approach to the problems of taxation has been as primitive in its thinking as George H. Earle's wildest and weirdest advisors ever were, in their wildest moments.

The taxation problem to which and because of House Bill No. 417 and other measures this administration clings, mirrors the acts of desperation committed in by-gone days by Democrats who were admittedly facing an emergency, and because of the emergency bungled the job.

The House is not prepared to act upon this bill. The Members of this House do not know how the schedules carried in House Bill 417 compare with teachers' salary schedules in other States, information was requested, information was desired by the Membership of this House, but that information has not come to my attention. There are very few Members of this House who can go home today or who are at home now who can stand up and outline what House Bill 417 in its present form does for or to the teachers in their communities or how in its present form it affects the taxpayers in their community. I submit that for the Members of a deliberative body to be placed in the position where they have acted upon one of the most important measures to face us in this Session, to be placed in a position, I repeat, where many of them, many of us, will have to go home and when asked what the bill will do to the local taxpayers and what the bill will do for the teachers, will be compelled to say that they will have to get expert information.

House Bill 417 admittedly shortchanges Philadelphia. House Bill 417 admittedly shortchanges Pittsburgh. House Bill 417 admittedly shortchanges many teachers long in the service of the Commonwealth. House Bill 417 is admittedly a part of an overall plan to kick back on the local districts expenditures that should be financed through the Commonwealth, not by the Commonwealth, but through it on the basis of uniform taxes levied on a state wide basis rather than hit or miss taxation levied in a confused fashion by local municipalities.

We ask that House Bill 417 go back to the Committee because we adhere to the seven point program formulated by the House of Delegates of the PSEA on Saturday, May 31. The program adopted by the House of Delegates was as follows:

1. Accept nothing less than a uniform salary schedule, similar to that in the Stuart-Sollenberger bill.
2. Resist all efforts to increase the local tax efforts in education financing.
3. Insist on immediate service increments for teachers based on years of service.
4. Demand adequate maximum salaries for all teachers.
5. Support the establishment of a tax equalization board as a means of curing many financial ills in school districts.
6. Demand adequate subsidies for a general salary program.
7. Insist upon a State tax program which recognizes support of education as a State function.

That was sound policy when it was submitted to the attention of this House last February. It is a policy which the Education Committee of this House favored and stuck for. It was sound policy then, it is sound policy now.

We adhere to the report of the House of Delegates filed

for and on behalf of the PSEA, not because it is of primary interest to the members of the teaching profession, but because that program happens at the present time to be the program which more nearly coincides with the public interest and with honest conviction of the Members of this House.

Now, as to claim that House Bill 417 in its proper form cannot be financed without imposing additional taxes—at least without imposing any taxes in addition to those already imposed, that is a cruel deception. There is plenty of cash available if this administration were not stubbornly and unwisely hoarding cash out of current assets for the purpose of financing construction needs extending far beyond the present biennium. Instead of resorting to modern methods of financing the administration instead proposes a crazy-quilt tax plan which would give indiscriminate and confusing powers to tax to various political subdivisions.

In the present instance we possess but one power, the power to protest. We are bound in a parliamentary strait-jacket. The Majority Leader stands with a parliamentary pistol in his hand and says "Vote now and like it." We will vote now, Mr. Speaker, but we most emphatically can say that we do not like it.

Mr. SORG. Mr. Speaker, I rise to oppose the motion to recommit House Bill 417, I am sympathetic with many of the reasons given by the gentleman from Cambria. I am also aware that his logic is based on the premise that House Bill 417 in its present form gives nothing. The gentleman speaks of twenty-seven million dollars. I respectfully submit that it is a forty-eight million dollar bill. I submit also that for weeks upon weeks this subject has been a matter of serious consideration by the Committee of Education of this House, in whom I have complete confidence.

I submit also that one of the principal reasons for the present parliamentary situation we have is not one that occurred in our Committee of Education, it came when they were in the midst of their deliberations and their studies on this measure.

Some weeks ago we were requested to proceed cautiously and prudently and slowly with a matter as serious as this. With that we whole heartedly agree. Then all of a sudden, out of a clear blue sky we find ourselves confronted with a request to call up House Bill 417—hurry, hurry, hurry, with this matter and here we are.

Mr. Speaker, we are here to say on this side that House Bill 417 as amended is a forty-eight million dollar appropriation within the budget that we had so much difficulty establishing; within the sphere of the revenues that were raised, is not so bad. We here are ready to say that in the final analysis the forty-eight million dollar provision required by House Bill No. 417 as amended does definitely represent a great step forward, and it is not the penny-pinching proposition that we would be led to believe. We believe that it provides the necessary increases in salaries.

This Legislature has never, I hope never will insist on the local governments paying just so much and no more.

The measure that we have before us is one that mandates only the minimum that must be paid in order to comply with or to become eligible for subsidies from the

State of Pennsylvania and the mandated minimums that must be met in order to get a subsidy from the State of Pennsylvania, but no mandate whatever on the salaries that shall be paid to teachers as they merit it and as the local officials in direct supervision of those particular public employes may deem fit.

We suggest that this is a part of an overall program that we are perfectly willing to take to the people of Pennsylvania as our answer to the particular problem under the present circumstances, and I ask that the motion to recommit be defeated.

Mr. ANDREWS. Mr. Speaker, that places or attempts to place the intimations in the direction that in some way the minority group is responsible for the slaughter of House Bill 417. To place that responsibility even remotely on the shoulders of the minority is a good trick if you can get away with it. I would ask a roll call on the motion.

Mr. SORG. Mr. Speaker, we realize full well that the responsibility of moving forward is with the majority and all the Members of this House on both sides. We do not seek to place the responsibility with any particular minority group of this House.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I will, Mr. Speaker.

Mr. O'CONNOR. Under the procedure, Mr. Speaker, I would like to ask the gentleman from Cambria if it is not true that the Democrats who are not in their seats today are not here because of the fact that they were advised that there would be no roll call today on which they would desire to be recorded?

Mr. ANDREWS. That is not the case, Mr. Speaker. My understanding was that there would be a quick roll call on a party basis.

Mr. O'CONNOR. That is all, Mr. Speaker, I thank the gentleman.

On the question recurring.

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Petrosky and were as follows:

YEAS—46

Andrews,	Cole,	Mills,	Robbins,
Bane,	Cordier,	Mooney,	Sarra,
Barrett,	Crowley,	Najaka,	Schuster,
Bentzel,	Demech,	Needham,	Snider,
Bloom,	Evans,	O'Connor,	Stank,
Boies,	Jump,	O'Neill,	Swope,
Brown,	Kirley,	Petrosky,	Verona,
Bucchin,	Kohl,	Polaski,	Weiss,
Capano,	Livingstone,	Powers,	Wheeler,
Chervenak,	Lovett,	Readinger,	Yester,
Chudoff,	Mihm,	Reese, R. E.,	Yetzer,
Cochran,	Mikula,		

NAYS—155

Aaronson,	Graybill,	McCormack,	Serrill,
Beech,	Greenwood,	McCosker,	Shoemaker,
Bender,	Greer,	McCullough,	Simons,
Bonawitz,	Griffiths,	McDonald,	Smith, C. C.,
Boorse,	Guthrie,	McKinney,	Smith, C. M.,
Bower,	Gyger,	McMillen,	Sollenberger,
Breisch,	Hall,	Miller,	Sorg,
Brice,	Haller,	Mintess,	Sproul,
Brunner,	Haudenshield,	Mohr,	Stimmel,
Cadwalader,	Helm,	Moore, C. E.,	Stockham,

Cassidy,	Henry,	Moore, H. A.,	Stonier,
Clevenger,	Hewitt,	Morrison,	Stuart,
Cooper,	Hocker,	Murray,	Tahl,
Costa,	Hoffman,	Myers,	Thomassy,
Dague,	Hoopes,	Naumann,	Thompson,
Dalrymple,	Horan,	Neff,	Tittle,
Davison,	Imbt,	Nelson,	Tompkins,
De Long,	Jennings,	O'Dare,	Toomey,
Dennison,	Johnson,	O'Donnell,	Turner,
Depuy,	Johnston,	Orban,	Upshur,
Dix,	Jones,	Patten,	Vaughan,
Dye,	Kean,	Pichney,	Wachhaus,
Efenberg,	Kelley,	Pickens,	Wagner,
Elder,	Kemp,	Price,	Waldron,
Erb,	Kent,	Propert,	Wallin,
Ewing,	Kline,	Ragot,	Walton,
Feola,	Kratz,	Reagan,	Waterhouse,
Fish,	Krise,	Reese, D. P.,	Watkins,
Fiss,	Kurtz,	Reilly, J. M.,	Watson,
Flack,	Laughner,	Reilly, W. J.,	Weldner,
Fleming,	Layer,	Richter,	Wescott,
Foor,	Lee,	Riley,	West,
Frost,	Lelsey,	Robertson,	Wolf,
Gallagher,	Livingston,	Root,	Wood,
Getchey,	Loftus,	Rose,	Worley,
Gibson,	Lyons,	Rowen,	Yeakel,
Goff,	Madden,	Royer,	Young,
Goodling,	Madigan,	Sax,	Lichtenwalter,
Gorman,	Mazza,	Scott,	Speaker.

NOT VOTING—4

Baumunk, Cook, Scanlon, Trout,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. I think Mr. Speaker, that there is no merit in this particular feature. I would like to say that about six years ago I proposed twelve hundred dollars with interest. At that time the Democrats reduced it to seven hundred dollars, and it is my opinion that if any Democrats had been in the majority at this time that they would not get as good a bill for the people, and the teachers would receive a much less salary than is proposed under this bill.

Mr. BROWN. Mr. Speaker, I should like to interrogate the Chairman of the Education Committee, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I will, Mr. Speaker.

Mr. BROWN. Will the gentleman from Blair tell me if there is any additional amount per teaching unit under House Bill 417 that would be allocated to the city of Pittsburgh school district?

Mr. SOLLENBERGER. From what angle, may I ask, Mr. Speaker.

Mr. BROWN. From the angle of the teacher unit, Mr. Speaker.

Mr. SOLLENBERGER. Reimbursement of seven hundred dollars for two years and then eight hundred dollars thereafter.

Mr. BROWN. Will the gentleman tell me whether if House Bill 417 becomes law in its present form it will cost the school district of Pittsburgh additional money?

Mr. SOLLENBERGER. Well, we hope not for a few years.

Mr. BROWN. Will it cost the school district any more money during the next year?

Mr. SOLLENBERGER. I would say where the teachers are eligible for promotional increments, in that case I believe it would, a small fraction.

Mr. BROWN. Would the gentleman be kind enough to state if he knows approximately how much that would be?

Mr. SOLLENBERGER. I do not know now, Mr. Speaker.

Mr. BROWN. Are the figures available from any source that would tell us what that figure would be?

Mr. SOLLENBERGER. I do not know of any, Mr. Speaker.

Mr. BROWN. I thank the gentleman.

There may be something in the adage that half a loaf is better than no loaf at all. That may be true if you know what is in the half loaf. House Bill 417 is a half loaf but no one knows what is in the half loaf. Now, it is to be regretted that we are asked today to vote on House Bill 417. I do not intend to criticize the majority, but it does seem to me that out of fairness a bill so important as House Bill 417 should not be amended on one day with intricate amendments which are absolutely impossible for a layman or for the majority of this House to understand and then on the next day within forty-five minutes from the time the bill is placed upon the desks, to ask us to vote upon it.

I may be voting against a very fine measure, but it seems to me in protest to the way we are asked to swallow this piece of legislation without even knowing how it will effect our school districts, we should vote "no", and I intend to vote "no" on this measure.

Mr. FLEMING. Mr. Speaker, I would like to briefly state that I agree with my colleague from Allegheny, Mr. Brown. If there is any question in his mind, I assure him there is none in mine, that not only the City of Pittsburgh but at least thirty-seven other districts in the County of Allegheny are in my opinion, an opinion which I believe is shared by the Members on this side from Allegheny County, are being dealt with unfairly at least to the extent that we will not benefit to the same degree as the school districts of Pennsylvania as a whole will benefit.

I would like the record further to show that when the bill was called up several days ago in conjunction with the gentleman from Philadelphia, Mr. Smith, I offered amendments to this bill which would raise the minimum subsidies considerably. That amendment unfortunately was defeated. We are faced now with the fact, whether we do something to better the very bad situation in Pennsylvania or whether we do not. In view of those facts I would urge the Members from Allegheny County, even though we are not getting that to which we are entitled, to support the measure.

Mr. ANDREWS. Mr. Speaker, I am afraid that we will have to take the half loaf on faith or no loaf at all. I hope the Members of the minority will support the bill.

Mr. C. C. SMITH. Mr. Speaker, I also would like to make a statement for the record. The Philadelphia delegation is very much in agreement with our friend Mr. Fleming of Pittsburgh. We feel apparently that cities of the first class have been discriminated against in sub-

sides. We feel that the subsidy is entirely too low to enable our boards to operate properly and to give the teachers increases without going into the red. We will vote for House Bill 417 because there is nothing better offered at this time, unfortunately, but we would like to go on record that we feel that the subsidies as far as Philadelphia is concerned are entirely too low. We hope that something can be done in conference or someplace to increase them.

(During the calling of the roll).

Mr. YESTER. Mr. Speaker, I don't want to vote at all. I haven't had the opportunity to look this over. I just got up this morning, and I do not think it is fair absolutely, and I want to be excused from voting.

The SPEAKER. If there is no objection the gentleman will be excused from voting. The Chair hears none.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Gibson,	McCullough,	Sarra,
Andrews,	Goff,	McDonald,	Sax,
Bane,	Goodling,	McKinney,	Schuster,
Barrett,	Gorman,	McMillen,	Scott,
Baumunk,	Graybill,	Mihm,	Serrill,
Beech,	Greenwood,	Mikula,	Shoemaker,
Bender,	Greer,	Miller,	Simons,
Bentzel,	Griffiths,	Mills,	Smith, C. C.,
Bloom,	Guthrie,	Mintes,	Smith, C. M.,
Boies,	Gyger,	Mohr,	Snider,
Bonawitz,	Hall,	Mooney,	Sollenberger,
Boorse,	Haller,	Moore, C. E.,	Sorg,
Bower,	Haudenschild,	Moore, H. A.,	Sproul,
Breisch,	Helm,	Morrison,	Stank,
Brice,	Henry,	Murray,	Stimmel,
Brunner,	Hewitt,	Myers,	Stockham,
Buchin,	Hocker,	Najaka,	Stonier,
Cadwalader,	Hoffman,	Naumann,	Stuart,
Capano,	Hoopes,	Needham,	Swope,
Cassidy,	Horan,	Neff,	Tahl,
Chervenak,	Imbt,	Neison,	Thomassy,
Chudoff,	Jennings,	O'Connor,	Thompson,
Clevenger,	Johnson,	O'Dare,	Tittle,
Cochran,	Johnston,	O'Donnell,	Tompkins,
Cole,	Jones,	O'Neill,	Toomey,
Cooper,	Jump,	Orban,	Turner,
Costa,	Kean,	Patten,	Upshur,
Crowley,	Kelley,	Petrosky,	Vaughan,
Dague,	Kemp,	Pichney,	Wachhaus,
Dalrymple,	Kent,	Pickens,	Wagner,
Davison,	Kirley,	Polaski,	Waldron,
De Long,	Kline,	Powers,	Wallin,
Dennison,	Kohl,	Price,	Walton,
Depuy,	Kratz,	Propert,	Waterhouse,
Dix,	Krise,	Ragot,	Watkins,
Dye,	Kurtz,	Readinger,	Watson,
Efenberg,	Laughner,	Reagan,	Weidner,
Elder,	Layer,	Reese, D. P.,	Welss,
Erb,	Lee,	Reese, R. E.,	Wescott,
Evans,	Leisey,	Relly, J. M.,	West,
Ewing,	Livingston,	Relly, W. J.,	Wheeler,
Feola,	Loftus,	Richter,	Wolf,
Fish,	Lovett,	Riley,	Wood,
Fiss,	Lyons,	Robbins,	Worley,
Flack,	Madden,	Robertson,	Yeakel,
Fleming,	Madigan,	Root,	Yetzer,
Foor,	Mazza,	Rose,	Young,
Frost,	McCormack,	Rowen,	Lichtenwalter,
Gallagher,	McCosker,	Royer,	Speaker.
Getchey,			

NAYS—5

Brown,	Demech,	Livingstone,	Verona,
Cordier,			
NOT VOTING—3			
Cook,	Scanlon,	Trout,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 568, as follows:

An Act establishing the Port of Chester creating the Port of Chester Commission prescribing its powers and duties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Port of Chester is hereby established for purposes of navigation and commerce The Port of Chester shall include the following territory in Delaware County the city of Chester the boroughs of Marcus Hook Trainer and Eddystone and the townships of Ridley and Tinicum excepting lands the title of which is vested in a city of the first class and all lands of the Commonwealth to and inclusive of the pierhead or bulkhead lines whichever may be more distant from the shore line of the city of Chester the boroughs of Marcus Hook Trainer and Eddystone and the townships of Ridley and Tinicum as said pierhead and bulkhead lines are now or may hereafter be established by the Government of the United States

There is hereby created a Port of Chester Commission hereinafter referred to as the Commission the Commission shall consist of seven (7) persons two (2) of whom shall be appointed by city council of the city of Chester one (1) for a term of four (4) years and the other for a term of one (1) year one (1) shall be appointed by the borough council of the borough of Marcus Hook for a term of four (4) years one (1) by the borough council of the borough of Trainer for a term of three (3) years one (1) by the borough council of the borough of Eddystone for a term of three (3) years one (1) by the Board of commissioners of the township of Ridley for a term of two (2) years one (1) by the board of commissioners of the township of Tinicum for a term of two (2) years all of the members shall be residents of the county of Delaware Thereafter all members of the Commission shall be appointed by the appointing power who appointed the member whose place is to be filled for a full term of four (4) years Members of the Commission shall hold office until their respective successors are appointed and qualified An appointment to fill any vacancy shall be for the unexpired portion of the term and shall be made by the appointing power that appointed the member whose vacancy is to be filled

Section 3 The members of the Commission shall receive no compensation for their services but shall be entitled to necessary traveling expenses reasonably incurred in the performance of their duties to be paid by the Commonwealth The principal office of the Commission shall be in Delaware County at such place as the Commission shall from time to time establish and determine

Section 4 The Commission shall select annually a Chairman and Vice Chairman from its own members and may employ a secretary and such other assistants as may be necessary and proper to keep accurate records minutes and entries of all acts rules regulations and business of the Commission

The Vice Chairman of the Commission shall in the absence of the Chairman perform his duties and shall at any time perform such duties as the Chairman shall have requested him in writing to perform and as to such duties shall have authority equal to that of the Chairman

The Commission may also employ a civil engineer and such other officers or employees as are necessary to the proper performance of its duties and the proper transaction of its business The Commission may also retain and

appoint an attorney or counsel with the written consent of the Attorney General and fix his salary and define his duties

Section 5 The Commission shall have power and its duty shall be to formulate a specific action program for the following purposes

(1) The promotion of the Delaware river as a highway of commerce

(2) The promotion of commerce both freight and passenger for the Port of Chester

(3) The improvement of terminal lighterage wharfrage warehouse and other facilities necessary for the promotion of the Port of Chester and to make studies and recommendations in connection therewith

Section 6 The Commission shall have power to adopt and enforce rules and by-laws to govern the conduct of its business

Section 7 The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby appropriated to the Commission for the purpose of carrying out the provisions of this act

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairyple,	Kent,	Polaski,	Wallin,
Devison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Elgot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Elsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakei,
Fish,	Lovett,	Robertson,	Yester,

Flass,
Flack,
Fleming,
Foor,
Frost,

Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Root,
Rose,
Rowen,
Royer,
Sarraf,

Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—3

Cook,

Scanlon,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 726, Printer's No. 810 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 805, as follows:

An Act to amend section twenty-five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employees and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" increasing the salaries of members of the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employees and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employees requiring county officers and boards to furnish information to said commission concerning taxable resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" is hereby amended to read as follows

Section 25 The salary of the two members of the said commission elected to the said office shall be [four thousand dollars (\$4000)] seven thousand five hundred dollars (\$7500) per annum payable monthly or semi-monthly Neither the president judge of the court of common pleas nor any other judge who may serve upon said commission shall receive any additional salary for such service The salary of all clerks assistant investigators or employes shall be such as may be fixed by the salary board hereinbefore provided for to fix the number and compensation of the clerks assistants investigators and employes of said commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomass,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foer,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 834, as follows:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof collector of taxes to become members of the city retirement system under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" is hereby amended by adding after section five a new section to read as follows

Section 5.1 All persons now or hereafter employed in the office of the collector of taxes shall be permitted to join any existing retirement system in effect in the city of the second class A in which such office is located if the city council and the board of school directors shall each agree to contribute one-half and do contribute to the retirement fund established by the Act of Assembly under which such retirement system was established from time to time one-half each the moneys required to build up the reserves necessary for the payment of the cities annuity of such employes upon retirement

Upon joining any such retirement system the employes of the office of the collector of taxes shall enjoy all the rights and be subject to all the requirements and duties as provided by the Act of Assembly under which such retirement system operates

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Myers,	Stank,
Brelsch,	Haller,	Moore, C. E.,	Stimmel,
Brice,	Haudenschild,	Moore, H. A.,	Stockham,
Brown,	Helm,	Morrison,	Stonier,
Brunner,	Henry,	Murray,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomas

Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook,	Scanlon,	Trout,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHARLES C. SMITH asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1303, as follows:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas over and terminer and general jail delivery quarter sessions of the peace County Court of Allegheny County and orphans' courts in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Salaries of tipstaves in the courts of common pleas over and terminer and general jail delivery quarter sessions of the peace County Court of Allegheny County and orphans' courts in counties of the second class shall be fixed by the salary board of the county at an amount not less than three thousand one hundred forty-four dollars (\$3144) per annum and shall be uniform and of equal amounts

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McCormack,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	Wheeler,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCosker,	Sarra,	

NAYS—0

NOT VOTING—3

Cook,	Scanlon,	Trout,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1322, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand dollars (\$95,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the erection of a building or buildings including the installation of lighting heating water and other necessary facilities to be used for conducting a research study and investigation program relating to the artificial insemination of cattle and other livestock and for the purchase of such machinery supplies and apparatus necessary to equip such building or buildings for the proper execution of such program

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomass,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Roe,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarraf,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1324, as follows:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations

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Section 20	Uncollectible Checks
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Section 22	Saving Clause
Section 23	Constitutional Construction
Section 24	Acts of Rssembly Repealed
Section 25	Effective Date

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other State territory or foreign country or dependency

"Dealer" shall mean and include any person engaged in the retail sale of fuel to users as herein defin

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "The Liquid Fuels Tax Act" and its amendments

"Licensed User" shall mean and include any user holding an unexpired uncancelled or unrevoked license issued by this Commonwealth

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature generally open to the use of the public as a matter of right or to be opened to the public as a highway including a toll highway for the purpose of vehicular travel and notwithstanding that the same may be temporarily closed for the purpose of construction reconstruction maintenance or repair

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include the receipt of fuels by any user in the fuel supply tank of his motor vehicle in Pennsylvania for use in whole or in part for the generation of power to propel the motor vehicle on the public highways of this Commonwealth

"User" shall mean any person or persons who used and/or consumes fuel received or purchased within this Commonwealth in an internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways of this Commonwealth

"Wholesaler" shall mean and include any person who produces refines prepares blends distills manufactures compounds or receives in any manner fuels for wholesale sale or distribution to dealers in the Commonwealth of Pennsylvania as herein defined

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Fees Licensing of Users Bond or Deposit of Securities (a) On and after the effective date of this act it shall be unlawful for any user to continue to engage in or thereafter to begin to engage in the use of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution and at the discretion of the court undergo imprisonment for not more than thirty (30) days for each offense

(b) Every person desiring to operate as a licensed user shall file an application for a license with the department The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business the location of his principal place of business in this Commonwealth and such other information as the department may require If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a cor-

poration the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority

(c) Upon the filing of the application for a license a filing fee of ten dollars (\$10) shall be paid to the department which shall not be refundable Provided That the Commonwealth of Pennsylvania and the political subdivisions thereof are hereby exempted from payment of this filing fee

(d) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each user a license and facsimiles thereof to at all times accompany each piece of equipment using fuels taxable under this act Licenses or facsimiles thereof shall not be assignable nor transferable and shall be valid only for the user in whose name issued and shall at all times be displayed in accordance with departmental regulations Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the department for cancellation when the use of the piece of equipment for which issued has been discontinued by the secretary Facsimiles of licenses shall be returned to the licensee or for replacement in accordance with departmental regulations

Penalty Any person assigning or attempting to assign or transfer a license or a facsimile thereof or who shall fail to display his license or facsimile thereof as required by departmental regulations shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense together with costs of prosecution and at the discretion of the court be sentenced to undergo imprisonment for not more than thirty (30) days for each offense

(e) A license shall not be granted and issued until the person applying therefor has filed with the department a surety bond payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500) Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the user shall faithfully comply with the provisions of this act during the effective period of his license The department may require any licensed user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him Provided That the Commonwealth of Pennsylvania and the political subdivisions thereof shall not be required to file bonds as guaranty of payment of fuel taxes imposed herein

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any licensed user to furnish a financial statement in such form as it may prescribe Upon failure of any licensed user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him

Any surety on a bond furnished by a licensed user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period The department shall promptly after

receiving such request notify the licensed user who furnished the bond and unless the user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the user's license or licenses Whenever a new bond shall be furnished by the licensed user as aforesaid the department shall cancel and surrender the original bond of the user as soon as it shall be satisfied that all liability under the original bond has been fully discharged

(f) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's fees have been paid The department shall furnish the State Treasurer with a copy of such certification and authorize the return of the said securities by the State Treasurer to the owner

(g) Nothing contained in this act shall require the filing of any application or bond or the possession and display of a license for the use of fuels in interstate or foreign commerce not within the taxing power of the Commonwealth or for the use of fuels by the United States Government

(h) The Secretary is hereby empowered and authorized to issue temporary emergency licenses to users upon payment of the filing fee herein imposed and the deposit of a certified check bank draft express post office or telegraphic money order in the sum of one hundred dollars (\$100) payable to the Department of Revenue as guarantee of payment of liabilities accruing under the provisions of this act Issuance and length of validity of such temporary emergency licenses shall be restricted in accordance with departmental regulations

(i) In the event that any application for a license to use fuel as a licensed user in this State shall be filed by any person whose license shall at any time theretofore have been cancelled for cause by the department or in case the department shall be of the opinion that such application is not filed in good faith or that such application is filed by some person as a subterfuge for the real and in any said event the department after a hearing of person in interest whose license shall theretofore have been cancelled for cause by the said department then which the applicant shall have been given five days' notice in writing and in which said applicant shall have the right to appear in person or by counsel and present testimony shall have and is hereby given the right and authority to refuse to issue to said person a license in this Commonwealth

(j) Upon the surrender or revocation for cause of the license of any user or upon the expiration of temporary emergency licenses the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid

Section 4 Imposition of Tax Exemptions An excise tax at the rate of four cents (4c) a gallon is hereby imposed on all users of fuel upon the use as herein defined of such fuel by any person within this Commonwealth when such fuel is used in whole or in part in an internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways to

be computed in the manner hereinafter set forth in this act The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels Provided further however That no tax is hereby imposed upon (1) any fuel that is used by the United States Government or (2) upon any fuel brought into this State in the fuel supply tank of the motor vehicle directly connected to the motor or (3) upon any fuel used in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or the equipment

The tax shall be payable upon fuels used by the Commonwealth and the political subdivisions thereof

Section 5 By Whom Tax is Payable Every user of fuels upon which a tax is imposed by this act shall pay the tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each user to furnish to the department such information concerning such use as the department may require

Section 6 Licensed Users' Report and Payment of Tax Discount Allowed Interest and Penalties For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe A user having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate places of business

Every user at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the licensed user

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of such user may forthwith be suspended or revoked by the department and required to be surrendered to the department

Section 7 Determination and Redetermination of Tax Penalties and Interest Due (a) If any user shall fail neglect or refuse to secure a license as provided in this act the department shall estimate the tax due by such user and determine the amount due by him for taxes penalties and interest as prescribed herein from which determination there shall be no right of review or appeal

(b) In the event a licensed user shall fail neglect or refuse to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any licensed user under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such licensed user based upon any information within its possession or that shall come into its possession

(c) Promptly after the date of any such determination

the department shall send by registered mail a copy thereof to such licensed user Within thirty (30) days after the date of any such determination such licensed user may file with the department of petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within ninety (90) days after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(d) Within thirty (30) days after notice by the department of the action taken on any petition for redetermination filed with it the licensed user against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall be in such form as the Board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of said board to dispose of any such petition within ninety (90) days the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(e) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within ninety (90) days may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(f) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuels use tax reports of licensed users of overpayments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment

Section 8 Examination of Records and Equipment The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any user dealer wholesaler carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary

Provided however That if any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy then the secretary or his deputy shall certify the names and facts to the court of common pleas of any county and the said court shall enter such order against such person in the premises as the enforcement of this act and justice shall require

Section 9 Regulations Registration of Dealers and Wholesalers Retention of Records by Users Dealers Wholesalers and Carriers Reports Required of Dealers and Wholesalers (a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Dealers and wholesalers selling or intending to engage in the sale of fuels taxable under this act shall register with the department on forms prescribed and furnished by the department upon request whereupon the department shall issue a certificate or certificates to the dealer or wholesaler which are to be conspicuously displayed at the dealer's or wholesaler's places of business These certificates shall not be assignable or transferable and shall be surrendered to the department upon discontinuance or transfer of business

Penalty Any dealer or wholesaler failing neglecting or refusing to register with the department or any person assigning or attempting to assign or transfer a registration certificate or who shall fail to display his registration certificate or certificates as required by this act shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense together with costs of prosecution and at the discretion of the court be sentenced to undergo imprisonment for not more than thirty (30) days for each offense

(c) Every user and dealer shall maintain and keep for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such user or dealer including suitable books and records of accounts and duplicate copies of material requisitions sales tickets delivery tickets purchase orders invoices and bills which shall show the use or the date and name business and address of the person to whom sale or delivery was made together with bills of lading purchase invoices inventory records and such other pertinent papers as may be required by regulation Every wholesaler and carrier shall keep similar records with respect to sales and deliveries of products capable of being used as fuels

Penalty Any person violating any of the provisions of this tsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both at the discretion of the court

(d) The department may require dealers other than distributors holding permits under the Liquid Fuels Tax Act to prepare and transmit to it not later than the last day of each month on forms prescribed and furnished by the department reports of sales and deliveries to users of fuels taxable under this act as it deems necessary for the enforcement of this act The department may require wholesalers other than distributors holding permits under the Liquid Fuels Tax Act to prepare and transmit to it not later than the last day of each month or forms prescribed and furnished by the department reports of sales and deliveries to dealers of such products capable of being used as fuels as may be designated by regulations issued by the department and as may be necessary for the enforcement of this act Such reports shall be made under oath or affirmation

Penalty Any person failing neglecting or refusing to

file the reports required within the time prescribed herein shall upon summary conviction before a magistrate be sentenced to pay fine of fifty dollars (\$50) for each offense together with costs of prosecution and at the discretion of the court be sentenced to undergo imprisonment for not more than thirty (30) days for each offense

Section 10 Disposition and Use of Tax The taxes collected under the provision of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

Section 11 Discontinuance or Transfer of Business by User Dealer or Wholesaler Whenever a user dealer or wholesaler engaged in the use retail sale or wholesale sale of fuels ceases to be a user dealer or wholesaler by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of any user within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses and facsimiles theretofore issued to him by the department

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution and in the discretion of the court undergo imprisonment for not more than thirty (30) days

Section 12 Suspension or Revocation of Licenses Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five days' written notice except as hereinbefore provided After such hearing the department may revoke or suspend the user's license or licenses and facsimiles and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses and facsimiles theretofore issued to him and the user shall surrender within five days all licenses and facsimiles to the department as hereby required

Any holder of a user's license aggrieved by the decision of this department in suspending or revoking his permit may within thirty days appeal to the court of common pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements Provided however That no such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending disposition of the appeal

Penalty Any person failing neglecting or refusing to surrender a license or facsimile suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution and in the discretion of the court undergo imprisonment for not more than thirty (30) days

Section 13 Lien of Taxes Penalties Interest Fees and Fines (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon the franchise and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other state taxes having priority by law and except also that such taxes penalties interest fees and fines shall have priority over a mortgage only if the liens thereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid and certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a user as herein defined without first giving the department thirty days' notice of the sale and a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale was made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officers having charge of the sale a certified statement of all fuel taxes penalties interest fees and fines due the Commonwealth as liens against such person and in the case of no such liens a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be the duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any user which are of record in the department as liens or which may become a lien against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review of the expiration of the Board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10,000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10,000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the user and shall be a lien against his property in like manner as the amount of the claim

Section 15 Registration of Carriers and Reports Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a user or dealer as defined in this act shall register with the department on forms prescribed and furnished by the department upon request

Every person engaged for hire in the transportation and delivery of products capable of being used as fuels

taxable under this act in any manner to a user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth. Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require.

Penalty. Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense and undergo imprisonment for thirty (30) days at the discretion of the court.

Section 16 Refunds. The Board of Finance and Revenue may refund to licensed users taxes penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact. Claims for refund shall be filed with the Board of Finance and Revenue within one year of date of overpayment and shall be made under the procedure prescribed by the Fiscal Code.

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds.

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized. Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor.

Section 17 Enforcement. The department shall be charged with the enforcement of this act. Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act.

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county.

Section 18 Disposition of Fees Fines and Forfeitures. Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund.

Section 19 Exchange of Information Among the States. Issuance and Sale of Lists and Certified Copies of Records. The secretary or his representatives shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use

which it may have in its possession relative to the manufacture receipt sale use transportation shipment or delivery by any person of fuel.

The department shall prepare issue and distribute such lists of users dealers wholesalers and carriers as may be necessary for the proper administration and enforcement of this act without charge. Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance.

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance. Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities.

Section 20 Uncollectible Checks. Whenever any check issued in payment of tax penalty interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment.

Section 21 Violations. (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution and at the discretion of the court undergo imprisonment for not more than one year. In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act. Such fines shall be in addition to any penalty imposed by any other section or subsection of this act. Upon conviction all of the guilty user's licenses shall be revoked.

(b) It shall be unlawful for any person to commit any of the following acts:

1 To display or represent as one's own or cause or permit to be displayed any license or facsimile thereof or registration certificate not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or facsimile thereof or registration certificate or any license or facsimile thereof or registration certificate which is invalid as a result of cancellation suspension revocation by the department or expiration.

2 To use a false or fictitious names or give a false or fictitious address in any investigation or on any application registration or report required under the provisions of this act or otherwise misrepresent or commit a fraud on any application registration or business record required under the provisions of this act.

Penalty. Except as herein otherwise provided any person violating any of the provisions of this section shall be guilty of a misdemeanor unless such act is declared to be a felony and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution and in the discretion of the court undergo imprisonment for not more than one year.

Section 22 Saving Clause. (a) The passage of this act

shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) Users having fuels on hand at the effective date of this act upon which no tax has been billed or paid shall pay the tax to the department on such fuels as is required by this act

(c) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

Section 23 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 24 Acts of Assembly Repealed The provisions of any existing laws or parts of laws which in any manner are inconsistent with or in conflict with the provisions of this act are hereby repealed

Section 25 Effective Date This act shall become effective on the first day of September one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Pikaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,			

Dennison,	Kohl,	Propert,	Watkins,
Depuy,	Kratz,	Ragot,	Watson,
Dix,	Krise,	Readinger,	Weidner,
Dye,	Kurtz,	Reagan,	Weiss,
Efenberg,	Laughner,	Reese, D. P.,	Wescott,
Elder,	Layer,	Reese, R. E.,	West,
Erb,	Lee,	Relly, J. M.,	Wheeler,
Evans,	Leisey,	Relly, W. J.,	Wolf,
Ewing,	Livingston,	Richter,	Wood,
Feola,	Livingstone,	Riley,	Worley,
Fish,	Loftus,	Robbins,	Yeakel,
Fiss,	Lovett,	Robertson,	Yester,
Flack,	Lyons,	Root,	Yetzer,
Fleming,	Madden,	Rose,	Young,
Foor,	Madigan,	Rowen,	Lichtenwalter,
Frost,	Mazza,	Royer,	Speaker,
	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1325, as follows:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retailers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing the liquid fuels taxable under the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retailers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" is hereby amended to read as follows

An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are [ordinarily] practically and commercially [usable] suitable for use in internal combustion engines for the generation

power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation.

Section 2 The definition of "Liquid Fuels" in section two of said act as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 98) is hereby further amended to read as follows:

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning.

"Liquid Fuels" All [distillates of and condensates] products derived from petroleum natural gas coal tar vegetable ferments and other oils including among others gasoline naphtha benzol benzine or alcohols either alone or when blended or compounded which are [ordinary] practically and commercially [usable] suitable for use in internal combustion engines for the generation of power except kerosene fuel oil and gas oil. Provided That petroleum naphtha which distill by American Society of Testing Materials Method D 86-27 or United States Bureau of Mines Method 100.13 not more than nine (9) per centum at 176° F sold for any purpose other than use in internal combustion engines for the generation of power and which are not ordinarily practically and commercially usable in internal combustion engines are not included in the definition of "liquid fuels." Provided further That kerosene fuel oil and gas oil used in internal combustion engines for the generation of power to propel vehicles of any kind or character which use the public highways in this Commonwealth shall be included within the definition of "liquid fuels" or which are prepared advertised offered for sale or sold for use for that purpose. Provided That kerosene fuel oil gas oil Diesel fuel tractor fuel by whatever trade name or technical name known having an initial boiling point of not less than 200° F and of which not more than ninety-five (95) per centum has been received at 464° F (ASTM method D-86) liquified gases which would not exist as liquids at a temperature of 60° F and pressure of 14.7 pounds per square inch absolute and naphthas and benzols and solvents sold for use for industrial purposes are not included within the definition of "liquid fuels."

Section 3 If any specific provision included in the definition of "liquid fuels" contained in this act should be held by any court of competent jurisdiction to be unconstitutional the invalidity of said provision shall not affect any other part of the definition which is effected by this act. The General Assembly hereby declares that it would have passed this act omitting said provision if it had been advised of the unconstitutionality thereof at the time this act was passed.

Section 4 All cast or parts of acts inconsistent herewith are hereby repealed.

Section 5 This act shall become effective on the first day of September one thousand nine hundred forty-seven.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aranson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McDonald,	Schuster,

Bane,	Gibson,	McCullough,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Bentzel,	Gorman,	Mihm,	Simons,
Beech,	Graybill,	Mikula,	Smith, C. C.,
Bender,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buechin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kilne,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Westcott,
Efenberg,	Layer,	Reese, D. P.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Flash,	Lovett,	Robertson,	Yester,
Fliss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1341, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of five hundred nineteen thousand two hundred seventy-five dollars (\$519,275) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-seven to be paid to the homes hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such homes in the manner prescribed by law.

Aged Colored Women's Home Williamsport ...	\$ 825.00
Allegheny Temporary Home for Children	4,000.00
Almira Home Association New Castle	7,000.00
Beaver County Children's Home New Brighton	5,600.00

Benevolent Association Home for Children Pottsville	3,000.00
Boy's Industrial Home Oakdale	13,800.00
Chester Day Nursery & Children's Boarding Home	1,500.00
Children's Aid Society of Franklin County	2,800.00
Children's Aid Society of Pennsylvania Phila ..	58,000.00
Children's Aid Society of Western Pennsylvania Pittsburgh	24,000.00
Children's Home of Bradford	2,800.00
Children's Home of Easton	10,000.00
Children's Home of York	5,000.00
Children's Home of South Bethlehem	6,500.00
Children's Industrial Home Harrisburg	16,000.00
Christian Home of Johnstown	5,000.00
Children's Home of Reading	1,400.00
Colored Children's Bureau Philadelphia	10,500.00
Colored Women's Relief Association of Western Penna.	2,400.00
Curtis Home for Girls Pittsburgh	5,600.00
Erie Infant's Home and Hospital	3,000.00
Florence Crittenton Home Erie	1,400.00
Florence Crittenton Home Philadelphia	2,800.00
Florence Crittenton Home Williamsport	1,000.00
Friend's Home for Children Philadelphia	2,800.00
Friendship House Scranton	9,500.00
George Jr Republic Association	18,000.00
Home for Aged Philadelphia	5,600.00
Home for Aged Couples Philadelphia	2,000.00
Home for Aged Infirm Women Easton	6,500.00
Home for Aged and Infirm Colored Women Pittsburgh	3,200.00
Home for Colored Children Pittsburgh	1,800.00
Home of Industry for Discharged Prisoners Philadelphia	3,500.00
Home for Veterans of GAR and Wives Philadelphia	16,000.00
Home for Widows and Single Women Lebanon ..	3,000.00
Home for Widows and Single Women Reading ..	4,000.00
Industrial Home for Crippled Children Pittsburgh	21,000.00
Ladies GAR Home Hawkins Station	23,000.00
Margaret Henry Children's Home New Castle ..	1,200.00
Meadville Children's Aid Society & Home for Aged	6,500.00
Nazarene Home for Aged Philadelphia	4,000.00
Northern Home for Friendless Children Philadelphia	20,000.00
Northern Tier Home Harrison Valley	3,400.00
Pennsylvania Memorial Home Brookville	12,000.00
Penna. Association for the Blind Harrisburg ..	40,000.00
Pennsylvania Society to Protect Children from Cruelty	4,500.00
Pennsylvania Working Home for the Blind	30,000.00
Pittsburgh Home for Babies	14,000.00
Pittsburgh & Allegheny Home for Friendless ..	5,000.00
Sarah A Reed Home Erie	10,500.00
Seamen's Church Institute Philadelphia	16,800.00
Tabor Home for Children Doylestown	7,500.00
United Charities Home for Children Hazleton ..	3,000.00
Union Home for Old Ladies Philadelphia	4,500.00
Westmoreland County Children's Aid Society ..	9,400.00
Williamsport Home	10,500.00
York County's Blind Centre	1,250.00
Zoar Home for Mothers Babies & Convalescents (Allison Park)	1,400.00

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare thereunder shall be paid to any home therein named if such home is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffitha,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuater,
Buechlin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Yester,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Reese, R. E.,	Watkins,
Depuy,	Krise,	Ragot,	Watson,
Dix,	Kurtz,	Readinger,	Weidner,
Dye,	Laughner,	Reagan,	Weiss,
Efenberg,	Layer,	Reese, D. P.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Flash,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 101, as follows:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violation thereof" further regulating the manner of reducing the number of employees in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 If for reasons of economy lack of funds abolition of position or positions or for any other reasons it becomes necessary for any city of the second class to reduce the number of employes then the city shall follow the following procedure

First If there are any employes eligible for retirement under the terms of any pension fund then such reduction in number shall be made by retirement on pension of all the oldest in age and service

Second If the number of employes eligible for retirement under the pension fund of said city if any is insufficient to effect the reduction in number desired by said city or if there is no eligible person for retirement or if no pension fund exists in such city then the reduction shall be effected by suspending the last employe or employes Regardless of title or classification including probationers provisional and substitute employes that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last employe appointed all recent appointees until such reduction shall have been accomplished Whenever the number of such employes shall be again increased in numbers or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to that former class before any new appointees are appointed in reverse order to their suspensions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsach,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buochin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkina,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Coile,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Corta,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,

Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Frost

Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Rose,
Rowen,
Royer,
Sarraf,
Stobbs,
Robertson,
Root,

Watson,
Weldner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yeater,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—3

Cook,

Scanlon,

Troot.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 139, as follows:

An Act to add section nineteen point one to the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by providing for the acceptance of said act by cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" is hereby amended by adding immediately following section nineteen a new section to read as follows

Section 19.1 Any city in any county wherein a board is created under this act may become subject to the provisions of this act and the mayor and council of any such city may effect the same by an ordinance duly passed A copy of such ordinance approved by the mayor and duly certified accompanied by a statement of the vote thereon with the names of the members of council voting for and against such ordinance shall be forwarded to and filed in the office of the Secretary of the Commonwealth and when so filed the Governor shall under the great seal of the Commonwealth certify the acceptance of the provisions of this act which certificate shall be recorded among the minutes of the council and in the office for the recording of deeds in the proper county

From the date of the completion of such acceptance the objects property and persons subject to and exempt from taxation in such city for city and school purposes shall be designated by and the assessment and valuation thereof for such city and school purposes shall be done only in accordance with the provisions of this act and by the officers designated in this act

Whenever any city accepts the provisions of this act all

the provisions thereof shall apply to such city and any act of Assembly in force in such city in so far as it is inconsistent with the provisions of this act shall be annulled

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Serrill,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Lelsey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarraf,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76 and

Senate Bill No. 372, Printer's No. 230

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 383, as follows:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title the definition of "Charges" in section two section three the first paragraph of section twelve and sections thirteen fourteen and eighteen of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" are hereby amended to read as follows

An Act relating to consumer credit [in amounts of one thousand dollars (\$1000) or less] requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties

Section 2 Definitions The following terms shall be construed in the act to have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

"Charges" means [the] and includes all interest or discount and [investigation fees] the service charge which a licensee is authorized to collect by the provisions of this act

Section 3 License Required A On and after the effective date of this act no person partnership association foreign business corporation organized under or by virtue of any laws other than those of this Commonwealth non-profit corporation common law trust joint-stock company or any other group of individuals however organized shall engage or continue to engage in this Commonwealth either as principal employee agent or broker in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [(\$1000)] (\$2000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments

B On and after the effective date of this act no domestic business corporation organized under or existing by virtue of the Business Corporation Law of this Commonwealth and no director officer employee agent or member of such corporation shall engage or continue to engage in this Commonwealth either as principal employee agent or broker in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [\$1000] (\$2000) or less and charge collect contract for or receive interest

discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments without first obtaining a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act

Section 12 Authority of the Secretary of Banking The Secretary of Banking shall have the power to reject any application for license if he is satisfied that the financial responsibility experience character and general fitness of the person or persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth [or if he is not satisfied that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted] Provided however That no license may be issued if any director officer employe or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act or if any director officer employe or agent of the applicant corporation was a director officer employe or agent of a corporation which had been convicted of a second offense violation of this act and had its license revoked

Section 13 Powers Conferred on Licensees In addition to the general powers conferred upon a corporation by the Business Corporation Law of this Commonwealth a corporation licensed under this act shall have power and authority

A To lend money credit goods or things in action [in amounts not exceeding one thousand dollars (\$1000)] and charge [interest and fees] contract for receive or collect charges herein provided

B To lend money on the security of real or personal property or without security

C To lend money on promissory or judgment notes with or without co-makers endorsers guarantors or sureties

D To purchase contracts evidencing an agreement to pay a sum certain in money or credit at a fixed or determinable time

E To charge contract for receive or collect interest or discount at a rate not to exceed six per cent (6%) of the [principal] amount of a contract which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments On contracts for periods which are less or greater than one year the interest or discount shall be computed proportionately on even calendar months Provided however That for a period less than one month the computation may be based on a full calendar month

F To charge contract for receive or collect [an investigation fee] on any contract a service charge of one dollar (\$1.00) for each fifty dollars (\$50) or fraction thereof provided that the total service charge shall not exceed fifteen dollars (\$15) on any contract [on a contract of five hundred dollars (\$500) or less and one dollar (\$1.00) on each one hundred dollars (\$100) or fraction thereof of the amount of a contract in excess of five hundred dollars (\$500) on any contract not exceeding one thousand dollars (\$1000)]

G To charge contract for or collect for interest [and investigation fee] or discount and service charge a minimum charge of three dollars (\$3.00) on any contract of twenty-five dollars (\$25) or less which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments and a minimum charge of six dol-

lars (\$6.00) on any contract in excess of twenty-five dollars (\$25) which is payable in one year by a single payment or is payable in [equal installments amortized over a period of] one year by installment payments On contracts for periods which are less or greater than one year a proportionate minimum charge may be collected which shall be computed on even calendar months Provided however That for a period less than one month the computation of the minimum charge may be based on a full calendar month

H To collect or deduct interest or discount and [investigation fees] service charges in advance or to add interest or discount and [investigation fees] service charges to the principal amount of the contract and divide the total into equal or substantially equal installment payments or to collect interest or discount and [investigation fees] service charges wholly or partially at any time during the term of the contract or to collect interest or discount and [investigation fees] service charges at the end of the term of the contract

J To require payment of contracts in equal weekly semi-monthly monthly or any other periodic installments

K To collect an additional charge for extension deferment or default in the payment of any contract or for extension deferment or default in the payment of any installment on a contract at the rate of one and one-half per cent (1½%) per month on the amount extended deferred or in arrears Provided however A minimum charge of twenty-five cents (\$.25) may be collected for any extension deferment or default

L To renew or refinance contracts [and/or extend or defer any or all installment payments on a contract] On a contract which is renewed or refinanced prior to the expiration of the term of the contract a [proportionate] refund shall be made of unearned interest or discount which has been prepaid and shall be computed as on a prepaid contract [On payments which have been extended or deferred additional interest or discount may be collected which shall be computed at the rate applicable to the original contract]

M To collect from the consumer in addition to the interest or discount and [investigation fees] service charges permitted under this act the actual fees charged by a public official or agency of the Commonwealth for recording and satisfying a judgment mortgage encumbrance or lien on any real or personal property which constitutes security on a contract

N To collect from the consumer in addition to the interest or discount and [investigation fees] service charges permitted under this act the premium actually paid for [insuring real or personal property pledged as security on a loan] insurance required or obtained as security for or by reason of a loan made or contract purchased provided insurance is obtained from an insurance company authorized by the laws of Pennsylvania to conduct business in this Commonwealth

P To collect attorney's fees and court costs incurred in the collection of any contract in default and to collect actual and reasonable expenses of repossessing storing and selling collateral pledged as security on any contract in default

Section 14 Licensee Requirements and Limitations A A licensee shall not permit any person to become obligated to such licensee as a consumer on one or more contracts for an aggregate amount in excess of two thousand dollars (\$2000) exclusive of charges authorized by this act A husband and wife for the purposes of this limitation shall be construed as one consumer This limitation shall not impair the authority of a licensee to lend money credit goods or things in action or to purchase contracts in amounts in excess of two thousand dollars (\$2000) and charge contract for receive or collect interest or discount at the legal rate established by the General Usury Statute of the Commonwealth

B A licensee shall not charge contract for collect or receive interest discounts fees fines commissions

charges or other considerations in excess of the interest or discount [investigation fees] service charges extension charges deferment charges default charges recording and satisfaction fees [or] premiums for insurance attorney's fees court costs repossession expenses storage charges and selling expenses authorized by the provisions of this act

C A licensee shall not split or divide any contract so as to obtain charges in excess of those authorized by this act

D A license shall permit a consumer to pay partially or wholly any contract or any installment on a contract prior to the due date. On any contract which is wholly prepaid by cash renewal or other wise at any time prior to maturity the licensee shall refund to the consumer unearned interest or discount [in excess of] calculated at the original contract rate on the total amount of full installments to become due for the term of all subsequent full installment periods provided a licensee shall not be required to refund any such unearned interest or discount when the amount due computed as herein provided is less than twenty-five cents (\$.25). Such refund [may] shall be computed and paid or credited at the time of [final payment] prepayment on the contract

E A licensee shall not charge contract for receive or collect the [investigation fee] service charge authorized by this act [on any] when only the unpaid balance of an existing contract [which] is renewed or refinanced prior to the expiration of [eight (8)] four (4) months from the date of [the original] such existing contract. Provided however That when [a] an existing contract is renewed or refinanced for an amount in excess of the [original] unpaid balance of such existing contract prior to the expiration of [eight (8)] four (4) months from the date of [the original] such existing contract the [investigation fee] service charge may be charged on the [excess] amount whereby the amount of the renewed or refinanced contract exceeds the amount of the unpaid balance of such existing contract after crediting such balance with any refund of interest or discount which may be due on such existing contract

F All installment contracts shall provide for repayment in substantially equal periods and in substantially equal amounts [or as nearly equal as circumstances permit] provided that when appropriate for the purpose of facilitating payment in accordance with a consumer's intermittent income an installment contract may provide for repayment on a schedule which reduces or omits payments over any period or periods in which the consumer's income is reduced or suspended

G A licensee shall not charge or collect a [fee] service charge for investigating an application or any other [fee] charges if a contract is not consummated

H A licensee shall not discount or deduct interest in advance on any contract for any period in excess of [two] three years

Section 18 Penalties Any person partnership association foreign business corporation nonprofit corporation common law trust jointstock company or any other group of individuals however organized or any domestic business corporation which has not obtained a license from the Secretary of Banking of the Commonwealth of Pennsylvania in accordance with the provisions of this act or any partner director officer employee agent or member thereof who shall engage in the business of negotiating or making loans or advances of money or credit in the amount or value of [one] two thousand dollars [(\$1000)] (\$2000) or less and charge collect contract for or receive interest discount bonus fees fines commissions charges or other considerations which aggregate in excess of six per cent (6%) per year on the amount actually loaned or advanced or on the unpaid principal balances when the contract is payable by stated installments shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500) or more than five

thousand dollars (\$5000) and/or suffer imprisonment not less than six (6) months nor more than three (3) years in the discretion of the court

A corporation licensed under the provisions of this act or any director officer employee or agent who shall violate any provision of this act or shall direct or consent to such violations shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than [one] two thousand dollars [(\$1000)] (\$2000) for the first offense and for each subsequent offense a like fine and/or suffer imprisonment not to exceed one year in the discretion of the court

The payment of [one] two thousand dollars [(\$1000)] (\$2000) or less in money credit goods or things in action as consideration for any sale or assignment of or order for the payment of wages salary commissions or other compensation for services whether earned or to be earned shall for the purposes of regulation under this act be deemed a loan secured by such assignment and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable. Such transactions shall be governed by and subject to the provisions of this act

The payment of [one] two thousand dollars [(\$1000)] (\$2000) or less in money credit goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement expressed or implied that such property be sold back at a greater price shall for the purpose of this act be deemed to be a loan secured by such property and the amount by which the repurchase price exceeds such original purchase price actually paid shall be deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid. Such transaction shall be governed by and subject to the provisions of this act

When real or personal property is pledged as security on a loan of [one] two thousand dollars [(\$1000)] (\$2000) or less and the lender requires the borrower to pay for insurance thereon such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania. When the amount charged for such insurance is in excess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania the excess shall be construed as interest under this act

Section 2 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Gooding,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,

Brown.	Helm.	Murray.	Stonier.
Brunner,	Henry.	Myers.	Stuart.
Buechin,	Hewitt.	Najaka.	Swope.
Cadwalader,	Hocker.	Naumann.	Tahl.
Capano,	Hoffman.	Needham.	Thomassy.
Cassidy,	Hoopes.	Neff.	Thompson.
Chervenak.	Horan.	Nelson.	Tittle.
Chudoff.	Imbt.	O'Connor.	Tompkins.
Clevenger,	Jennings.	O'Dare.	Toomey.
Cochran,	Johnson.	O'Donnell.	Turner.
Cole,	Johnston.	O'Neill.	Upshur.
Cooper.	Jones.	Orban.	Vaughan.
Cordier.	Jump.	Patten.	Verona.
Costa.	Kean.	Petrosky.	Wachhaus.
Crowley.	Kelley.	Pichney.	Wagner.
Dague.	Kemp.	Pickens.	Waldron.
Dalrymple.	Kent.	Polaski.	Wallin.
Davison.	Kirley.	Powers.	Walton.
De Long.	Kline.	Price.	Waterhouse.
Demech.	Kohl.	Propert.	Watkins.
Dennison.	Kratz.	Ragot.	Watson.
Depuy.	Krise.	Readinger.	Weidner.
Dix.	Kurtz.	Reagan.	Weiss.
Dye.	Laughner.	Reese, D. P.,	Wescott.
Ekenberg.	Layer.	Reese, R. E.,	West.
Elder.	Lee.	Reilly, J. M.,	Wheeler.
Erb.	Lelsey.	Reilly, W. J.,	Wolf.
Evans.	Livingston.	Richter.	Wood.
Ewing.	Livingstone.	Riley.	Worley.
Feola.	Loftus.	Robbins.	Yeakel.
Fish.	Lovett.	Robertson.	Yester.
Fiss.	Lyons.	Root.	Yetzer.
Flack.	Madden.	Rose.	Young.
Fleming.	Madigan.	Rowen.	Lichtenwalter.
Foor.	Mazza.	Royer.	Speaker.
Frost.	McCormack.	Sarraff.	

NAYS—0

NOT VOTING—3

Cook.	Scanlon.	Trout.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,
Senate Bill No. 478, Printer's No. 244
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 523, as follows:

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries

recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 155) is hereby further amended to read as follows

Section 1001 Powers of Banks Bank and Trust Companies or Trust Companies A

(4) (a) To lend money either upon the security of real or personal property or otherwise to charge or to receive in advance interest therefor to contract for a charge for a secured or unsecured installment loan which in principal amount shall not exceed thirty-five hundred dollars and which under its terms shall be repayable in substantially equal installments over a period not exceeding three years which charge shall be at a rate not exceeding six dollars per one hundred dollars per annum upon the original face amount of the instrument or instruments evidencing the loan for the entire period of the loan and which such charge may be collected in advance Provided That if the entire unpaid balance outstanding on the loan is paid by cash renewal or otherwise at any time prior to maturity the bank or bank and trust company shall give a refund or credit of the unearned portion of such charge calculated at the original contract rate of charge on the total amount of installments to become due for the term of all subsequent full installment periods but no refund or credit of the unearned portion of such charge may be required in the event said refund or credit is less than one dollar (\$1) for each note paid prior to the maturity date No additional amount shall be charged or contracted for directly or indirectly on or in connection with any such installment loan except the following (a) Delinquency charges not to exceed five cents for each dollar of each installment more than fifteen days in arrears. Provided That the total of delinquency charges on any such installment loan shall not exceed fifteen dollars and only one delinquency charge shall be made on any one installment (b) Premiums paid by the bank or bank and trust company for insurance required or obtained as security for or by reason of such installment loan (c) Such amounts as are necessary to reimburse the bank or bank and trust company for fees paid to a public officer for filing recording or releasing any instrument or lien and the actual expenditures including reasonable attorneys' fees for legal process or proceedings to secure or collect any such installment loan Any advertising concerning such installment loans which contains a

statement of an amount or rate of charge shall also contain the percentage rate either per month or per year computed on declining balances of the face amount of the loan instrument to which such charge would be equivalent if the loan were repaid according to contract. Provided That this requirement may be complied with by stating the equivalent percentage rate which would earn the charge for such a loan repayable in twelve equal consecutive monthly installments and such stated rate may be closely approximate rather than exact if the statement so indicates. And provided further That this requirement shall not apply to an advertisement in which an amount or rate of charge is indicated only by a table which contains and is confined to examples of the face amount of the loan instrument the proceeds to the borrower exclusive of the charge and the amount number and intervals of the required payments.

(b) The aggregate amount of unpaid principal due from any one borrower on one or more loans granted pursuant to the provisions of this paragraph shall not at any time exceed thirty-five hundred dollars.

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Heim,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenkak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,

Fleming,
Foot,
Frost,

Madigan,
Mazza,
McCormack,

Rowen,
Royer,
Sarraf,

Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—3

Cook,

Scanlon,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 556, Printer's No. 234

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 569, as follows:

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section eleven of the act approved the sixth day of August one thousand nine hundred forty-nine (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purpose of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows:

Section 11 Each district parole office shall be in charge of a district supervisor who shall be appointed by the board with the approval of the Governor and who shall receive such annual salary for those where the district includes either a county of the first class or a county of the second class not exceeding six thousand dollars (\$6000) and for those in other districts not exceeding four thousand five hundred dollars (\$4500) as the board shall determine. Said district supervisor shall be the executive head of the

district office to which he shall be appointed and shall have the control management and direction of all employees of the board assigned to said district subject to the supervision of the board

Section 2 This act shall become effective on the thirty-first day of May one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsich,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kaan,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dakymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Probert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarraf,	

NAYS—0

NOT VOTING—3

Cook,	Scanlon,	Trout,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 574, as follows:

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred ten of the oct approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 210. Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change and any proposed order of vacation duly acknowledged to the Governor and the same shall be approved by him and filed as a public record in the office of the department and a copy thereof shall be recorded in the office for the recording of deeds in the proper county at the expense of the department in a plan book or books provided by the county for that purpose The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes All plans or orders so approved filed and recorded shall indicate the names of the owners or reputed owners of the land affected by taking or vacation and of lands abutting the same It shall be the duty of the recorder of deeds of each county to provide a plan book or books for the recording of such plans and orders and shall maintain an adequate locality index for the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	J. nnings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petroosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kiline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Westcott,
Efenberp,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 589, as follows:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for

changes of width lines or grades of streets which are state highways in certain cities Where the parties interested have entered into an agreement for the sharing of such damages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 523 Width Lines Grades and Location The department shall not change the width lines or grades of the streets taken over under the provisions of any act of Assembly or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto In the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto Provided however That nothing contained herein shall prevent the county or the Commonwealth or both from contributing to or sharing in the payment of the damages occasioned by any such change of width lines or grades of a street under the terms of an agreement entered into by the interested parties for such purposes counties shall have power to expend county moneys or moneys allocated to the county by the Commonwealth for expenditure for highway purposes and the Department of Highways shall have power to expend moneys from the Motor License Fund

Whenever it shall appear to the secretary that any part or portion of a State highway route in a city of the second class second class A or third class as now or hereafter defines or described is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,

Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Pettigrew,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kerr p,	Pickens,	Waldron,
Delrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarraf,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 626, as follows:

An Act to amend Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 511 Changing et cetera Width Grades or Lines of Highways Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or main-

tenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the secretary with the approval of the Governor may change alter or establish the width grades or lines of any such State highway in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the [established width thereof] changes thereon and shall attached thereto his acknowledgment Such plan and acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article III of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highways within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines and grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property damages or the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudensheld,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,

Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse.
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 642, as follows:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" are hereby amended to read as follows

Section 2 The department of lands and buildings shall be under the charge of a director who shall be the head thereof The care maintenance repair and alteration management and supervision of all city buildings [the supervision of contract work in connection with the construction of all city buildings] the supervision of janitors watchmen and elevator service and the operating maintenance of all city buildings and the lease purchase and sale of real estate of the city shall be under the jurisdiction of this department The supervision of contract work in connection with the construction of all city buildings may be under the jurisdiction of this department

ment or may be under the jurisdiction of the department of public works as the council of said city shall direct in the ordinance authorizing and directing the letting of the contract work in connection with building construction

Section 3 All the powers and duties as set forth in section two hereof which are now under the jurisdiction of any other department of said city are hereby transferred to the department of lands and buildings created by this act Provided however That the jurisdiction to supervise contract work in connection with the construction of all city buildings may be under the department of lands and buildings or may be under the department of public works as the council of said city shall direct in the ordinance authorizing and directing the letting of the contract work in connection with building construction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buchlin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Widner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fiss,	Lovett,	Robertson,	Yester,
Flack,	Lyons,	Root,	Yetzer,
Fleming,	Madden,	Rose,	Young,
Foor,	Madigan,	Rowen,	Lichtenwalter,
Frost,	Mazza,	Royer,	Speaker.
	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 712, as follows:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized under the laws of this Commonwealth to hold the same and heretofore conveyed after said unauthorized holding to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold the same is hereby declared where no inquisition has been heretofore instituted against the said real estate to escheat the same by reason of such unauthorized holding to be free and clear of any right of escheat by this Commonwealth by reason of said unauthorized holding and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall in such case hold said real estate indefeasible as to any right of escheat by this Commonwealth by reason of said unauthorized holding

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Botes,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsach,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopas,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,

Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demach,	Kohl,	Proper,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krlse,	Readinger,	Weldner,
Dlx,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Flah,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For.	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Cook, Scanlon, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION TO INTRODUCE BILLS

Mr. MADDEN asked and obtained unanimous consent for himself and other sponsors to introduce bills.

REPORTS FROM COMMITTEES

Mr. WOOD from the Committee on Appropriations, reported as committed, House Bill No. 321, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Mr. O'DONNELL from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1114, entitled:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further regulating the issuance of watcher's certificates and the compensation of watchers.

Mr. COSTA from the Committee on City and County—First Class, reported as committed, House Bill No. 1193, entitled:

An Act authorizing public utility corporations engaged in transmitting electricity, or transporting steam, water, gas, oil, or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such cities.

Mr. MILLS from the Committee on Elections and Apportionment, reported as amended, House Bill No. 1120, entitled:

An Act to amend section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," making special provisions for manner of registration in boroughs, towns, and townships of less than a certain population in certain counties.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further regulating the issuance of watcher's certificates and the compensation of watchers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1193, entitled:

An Act authorizing public utility corporations engaged in transmitting electricity, or transporting steam, water, gas, oil, or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION No. 56

Mr. LAYER. Mr. Speaker, I desire to call up at this time House Resolution No. 56 on page 35 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 22, 1947.

Whereas, The United States Marine Corps has been a shining example of faithful and efficient service to our Nation for more than 172 years; and

Whereas, The United States Marine Corps has been a source of strength whenever our Nation has been threatened, and

Whereas, The United States Marine Corps, alone of all the elements of our armed services, possessed the vision to develop the science of waging amphibious warfare, which knowledge permitted our Nation's offensive might to be carried to enemy shores and which proved to be the key to victory in a global war, and

Whereas, 50,872 of the young men of this Commonwealth of Pennsylvania have served our Nation during World War II in the United States Marine Corps, and

Whereas, The United States Marine Corps is threatened with extinction if the merger bill now pending in the Congress of the United States is passed in its present form, and

Whereas, The abolition of the United States Marine Corps would be a disastrous loss to our Nation, therefore be it

Resolved, (If the Senate concurs) That the existence of the United States Marine Corps be assured by amendment to any merger bill, such amendment specifically providing that the United States Marine Corps shall continue to serve as our Nation's amphibious troops and as a force in instant readiness to protect our Nation, and be it further

Resolved, That the Secretary of the Commonwealth is hereby directed to forward certified copies of this resolution to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives of the United States, the Secretary of the Navy, the Commandant of the

United States Marine Corps, and members of the Congressional delegation from the Commonwealth of Pennsylvania.

On the question,

Will the House adopt the Resolution?

Mr. NEFF. Mr. Speaker I offer the following amendment:

Amend the resolution by striking out the third paragraph, beginning with the words, "Whereas The United States Marine Corps alone .."

On the question,

Will the House agree to the amendment?

(After conference at the Speaker's rostrum).

The SPEAKER. If there is no objection the resolution

will be laid over for the time being. The Chair hears no objection and the resolution is laid over.

RESOLUTION

Messrs. STIMMEL and DeLONG offered a resolution which was laid over under the rules.

ADJOURNMENT

Mr. ANDREWS. Mr. Speaker, I move that this House do now adjourn until Monday, June 9, 1947 at 3:30 p. m. Eastern Standard Time.

The motion was agreed to, and (at 1:10 p. m. Eastern Standard Time) the House adjourned.

Legislative Journal.

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HARRISBURG, PA., MONDAY, JUNE 9, 1947.

No. 71.

SENATE

MONDAY, June 9, 1947.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Butler, Mr. CARR.

Our dear Heavenly Father, we bow once again in Thy presence and ask that Thy blessing may rest upon us according to Thy greater knowledge of our needs, and according to Thy greater power of understanding, so that we may be acceptable unto Thee in all ways. We ask it in the name of Christ. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 637, PRINTER'S No. 260 RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 637, Printer's No. 260, entitled "An act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports."

This bill permits the governing body of any county, county authority, municipal authority, city, borough, town or township to create a Mosquito Control District either

alone or jointly with one or more such political subdivisions. It provides that the district created under the provisions of this bill shall consist of the Mosquito Control Board of five members who shall hold office for terms of five years.

Section 4(b) of the bill grants power to the district to enter upon private property for inspecting, spraying, or any abatement which, in the opinion and judgment of the board, may be necessary or proper for the elimination of breeding places of mosquitoes.

Section 4(c) of the bill gives the board the power to order the owner of lands to abate such condition and if not done by the owner, the board may at once abate such nuisance and assess all or part of the cost against the land against which such breeding places exist. The board may likewise file municipal liens for such assessments.

Section 5 of the bill expands the power of the Mosquito Control District to include control work against flies, ticks or other insects affecting public health or welfare, subject, however, to the approval of the governing bodies comprising the district.

This bill supplants the Act of July 10, 1935, P. L. 641, which permits the county governing body to establish such districts only after a petition by a definite number of voters, which must be followed by a referendum. This bill would, in effect, repeal that section of the Act of 1935 notwithstanding that Section 8 of the bill provides that this bill shall not be construed to affect or repeal the Act of 1935, supra. In no place in the act do I note where a property owner has any recourse for protection against arbitrary rulings by the district board. There are no exemptions and the actions of the board could be almost, if not entirely, confiscatory. It may in some cases result in the most ruthless type of bureaucracy. It would seem that such a bill, even though idealistic in its purpose, places control in the hands of a few and grants no rights to property owners who have no opportunity to express themselves legally on the desirability of the creation of such district. It grants no right of appeal to a property owner, and might result finally in the taking of property without due process of law, which is a patent violation of the Constitution.

From a Constitutional standpoint also, I believe that this bill violates the provisions of Article 3, Section 20, which provides.

"The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever."

This bill undoubtedly sets up a commission over which, save in one instance, the municipal authorities have no control. It delegates to a special commission the power to supervise and interfere with municipal property, and is, I believe, in violation of this section.

This bill is opposed by the Department of Agriculture. For the foregoing reasons, the bill is not approved.

JAMES H. DUFF.

SENATE BILL No. 637 LAID ON THE TABLE

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 637, returned by His Excellency, the Governor, without approval, be laid on the table.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 310, PRINTER'S No. 114

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 310, Printer's No. 114, entitled "An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 246, PRINTER'S No. 83

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 246, Printer's No. 83, entitled "An Act relating to trusts heretofore or hereafter created primarily for the benefit of employees under any stock bonus pension disability or death benefit profit-sharing or other employee-benefit plan and the application with respect thereto of any statute or rule of law against perpetuities accumulations or the suspension of the power of alienation."

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 568, entitled:

An Act relating to establishing and regulating the Port of Chester; creating the commission for the Port of Chester as a departmental administrative commission in the Department of Forests and Waters and prescribing its powers and duties; regulating the acquisition, transfer, construction and use of navigation facilities; providing for regulating services and fixing rates for wharfage, crackage and dockage; authorizing the abatement of nuisances and the correcting of improper conditions, and collecting the cost thereof from the owner or occupant of harbor structure prescribing penalties, and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 805, entitled:

An Act to amend section twenty-five of the act approved the eleventh day of May, one thousand nine hundred twenty-five (P. L. 561), entitled "Second Class County Jury Law," increasing the salaries of members of the commission.

Which was committed to the Committee on Local Government.

House Bill No. 834, entitled:

An Act to add section five point one to the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643, No. 510), entitled "An act relating to the collection of city, county school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class, counties, school districts and poor districts, and the officers thereof; and imposing penalties," permitting employees of the office of the collector of taxes to become members of the city retirement system under certain conditions.

Which was committed to the Committee on Local Government.

House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas, county and terminer and general jail delivery, quarter sessions of the peace, County Court of Allegheny County, and orphans' court in counties of the second class.

Which was committed to the Committee on Local Government.

House Bill No. 1322, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings, the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

Which was committed to the Committee on Appropriations.

House Bill No. 1324, entitled:

An Act imposing a State tax payable by those hereinafter defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee

of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees, to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users and making appropriations.

Which was committed to the Committee on Highways.

House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," further prescribing the liquid fuels taxable under the provisions of said act.

Which was committed to the Committee on Highways.

House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 101

He also returned to the Senate, Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act, approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," further regulating the manner of reducing the number of employees in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 139

He also returned to the Senate, Senate Bill No. 139, entitled:

An Act to add section nineteen point one to the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for the acceptance of said act by cities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 383

He also returned to the Senate, Senate Bill No. 383, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less

requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 523

He also returned to the Senate, Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers and duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 569

He also returned to the Senate, Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 574

He also returned to the Senate, Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 589

He also returned to the Senate, Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 626

He also returned to the Senate, Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 642

He also returned to the Senate, Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 712

He also returned to the Senate, Senate Bill No. 712, entitled:

An Act validating and quieting against the right escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 715.

He also presented communication from the House Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 715, entitled:

An Act to amend the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 598) entitled "Sunday Motion Pictures Act," by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 850.

He also presented communication from the House Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 850, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "State Employees Retirement Law," by further defining State employee to include certain employees of the Department of Highways.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 932.

He also presented communication from the House Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1040.

He also presented communication from the House Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the

Delaware River, both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates.

HOUSE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE SENATE TO
SENATE BILL No. 218 AND APPOINTS
COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

and has appointed Messrs. COSTA, C. C. SMITH and READINGER, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE SENATE TO
SENATE BILL No. 152 AND APPOINTS
COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty, and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commissions to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or aboli-

tion of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

and has appointed Messrs. MOORE, SOLLENBERGER and CAPANO, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, County, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act, approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors; and providing penalties for violations thereof," further regulating the manner of reducing the number of employees in certain cases.

Senate Bill No. 139, entitled:

An Act to add section nineteen point one to the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for the acceptance of said act by cities.

Senate Bill No. 274, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey to Pittsburgh Consolidation Coal Company, a Pennsylvania corporation, a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

Senate Bill No. 383, entitled:

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees

Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of inmates and their probation or parole.

Senate Bill No. 523, entitled:

An Act to further amend paragraph four of Subsection A. of Section one thousand one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of ex-

istent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation conferring powers and imposing duties upon the court, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purpose of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county where in the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the sharing of the payment of the damages for changes of width, lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damage.

Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five, (P. L. 1242) entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities; providing for its officers and employees; defining the powers, duties, and jurisdiction of said department, and in certain cases transferring the same from existing departments," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum the gentleman from Delaware, Mr. Heyburn, to preside.

The PRESIDING OFFICER (Weldon B. Heyburn) in the Chair.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, during the past week-end the Yellow Cab Company in Philadelphia stopped using the share-the-ride plan which had been in effect there for some time. Thus, over the week-end it became one passenger to one cab and many of our people had to stand waiting and unable to get service.

Whether this was done upon the Yellow Cab Company's own volition or at the order of the Public Utility

Commission is disputed but that is immaterial. The result is that a very inadequate taxi service has been made more so, a bad situation has been made serious and an already long-suffering public will now suffer not only longer but more intensely for lack of cab service.

The public is not interested in the Yellow Cab Company's excuse for failure to furnish adequate service. It has had plenty of time to do so and it has prevented others, most of them veterans, from giving taxicab service. The Yellow Cab Company has a tight monopoly and it wants to keep it. It wants to keep others from competing with it. It has opposed all applications for cabs and most successfully. In other words, the Yellow Cab Company will not furnish adequate cab service and it does not want anyone else to do so either. In this it has had the closest cooperation of the Public Utility Commission. That body is supposed to be an arm of this Legislature; it is supposed to be responsive to the sentiment of this body and of the public. It was created to protect the public from excessive rates and discrimination and to provide adequate service for the public.

However, the fine purpose of this legislation has been perverted to protect certain utilities at the expense of the public. It has been perverted to protect the investment of those utilities rather than to provide adequate service for the public. Its procedure reeks with delays. Cases drag on for years until, when a decision is finally made, it is then out of date and all parties are disgusted.

I call upon the Public Utility Commission to carry out the public trust vested in it by the Legislature. I call upon the Public Utility Commission to make effective immediately an order requiring and demanding the existing operators of taxicabs to increase their service without further delay. If they can not handle the situation promptly, and it seems obvious that they can not, since they have been given enough time and have failed to do so, I call upon the Public Utility Commission to raise the iron curtain and let veterans and others help furnish the cab service needed in Philadelphia.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and gentlemen of the Senate, I listened with a great deal of attention to the remarks just made by my friend from Philadelphia, Senator Kephart.

I am in full agreement with what the gentleman from Philadelphia said. Frankly, the trouble lies with the Public Utility Commission. I have it on reliable authority that the Yellow Cab Company of the city of Philadelphia has gotten orders from the Public Utility Commission to do away with the share-the-cab plan. Consequently it is their problem, it is their headache, if I may use the vernacular.

We have had trouble with other forms of service in Philadelphia, particularly with the Philadelphia Transportation Company, complaint after complaint has been made, but they have fallen upon deaf ears—with our subway program, with our elevated program and, last but not least, with the cab service.

After all, coming from the district that I do, and it is a very poor district where the people are primarily

interested in the transportation service and I mean the trolley service, the subway service and the elevated service, where it costs them seven to ten cents a ride. They are not concerned with taxicabs, which are intended for men in the higher brackets.

However, in answer to my friend from Philadelphia I will say this much: I agree with him that the service is faulty and more so with the service as given to the poorer class of people, the average working man, and I will repeat that the Yellow Cab Company has gotten definite orders from our Public Utility Commission to do away with share-the-cab plans.

I have been finding fault with the Public Utility Commission for years; I found fault with their contract and activities in many of their rate cases and they have not changed one iota and it is high time that action was taken on some of my pleas to do away with the present Public Utility Commission and put in its place a Fair Rate Board which will properly do the bidding of the people.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Education, reported as committed, Senate Bill 857, entitled:

An Act to amend section two thousand two hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the salary of school controllers.

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," by authorizing the department of Labor and Industry through the Secretary of Property and Supplies, with the approval of the Governor to acquire by purchase or condemnation land with or without buildings, to erect buildings, to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease, to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon, and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary; providing that land and buildings acquired hereunder shall be exempt from taxation.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 810, entitled:

An Act to further amend sections three, four and five of the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 158), entitled "An act creating a Legislative Reference Bureau; providing for the election of a director by the General Assembly; designating the officers and employes of such bureau, defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau; and making an appropriation," further defining the powers of the director with respect to the employes of the Bureau, and increasing the director's salary.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 861, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing heads of departments to act by deputy as ex-officio members of any board or commission; and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

BILLS RE-REFERRED

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 694, entitled:

An Act creating a Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia; defining the powers and duties of said commission; providing for participation in the said exposition; and making an appropriation.

which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, reported as committed, House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, reported as committed, House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor

which was re-referred to the Committee on Appropriations.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 830, entitled:

An Act to further amend section seven of article two of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," authorizing the Secretary of Mines, where the need demands, to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides; and in general, making provisions thereof conform to existing law.

Mr. WALKER, from the Committee on Corporations, reported as amended, House Bill No. 1103, entitled:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the condition on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto.

Mr. WALKER. Mr. President, the Chairman desires to report that these amendments are in conformity with the objection made by committee members at the meeting at which the objection was considered.

BILL RE-REFERRED

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 668, entitled:

An Act to further amend section three of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "Indeterminate Sentence Probation and Penitentiary Parole Law," by further regulating the payment of the salaries of probation officers and their assistants.

Mr. STEVENSON. Mr. President, this bill is reported for the purpose of having it re-referred to the Committee on Judiciary General; it was erroneously assigned to the Committee on Local Government, which was re-referred to the Committee on Judiciary General.

Mr. CRIDER, from the Committee on Military Affairs and

Aeronautics, reported as committed, House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a revised compilation of laws relating to War Veterans and making an appropriation

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veterans' affairs and the payment by counties of certain expenses in connection therewith.

SENATE BILL 819 REPORTED FROM COMMITTEE ON CONSTITUTIONAL CHANGES

Mr. WILSON. Mr. President, I desire to report from the Committee on Constitutional Changes Senate Bill 819, which is a joint resolution proposing to amend Article 3, Section 4 of the Constitution of the Commonwealth of Pennsylvania as relates to requiring bills to be considered on three difference days in each House.

This matter has been gone over very carefully and every member of the committee, excepting one who was absent, making fourteen out of fifteen, is in favor of this bill, which is reported out as amended.

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations, reported as committed, Senate Bill No. 819, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, requiring bills to be considered on three different days in each House.

BILLS INTRODUCED AND REFERRED

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman Recreational Park, Mead Township, Warren County, for constructing buildings and improvements and maintenance thereof.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Warren State Hospital, to sell and convey a certain tract of land in the township of Glade, County of Warren, Pennsylvania, but reserving therefrom and existing easement of right-of-way and of ingress and egress for continuance of such easement.

Which was committed to the Committee on State Government.

Mr. WOODRING read in his place and presented to the Chair Senate Bill No. 864, entitled:

An Act to repeal the act, approved the eleventh day of April, one thousand eight hundred sixty-eight (P. L. 864), entitled "An act relative to the election of commissioner's clerk in the County of Northampton".

Which was committed to the Committee on Local Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general, municipal, special and primarily elections, the nomination of candidates primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in certain newspapers in certain cases.

Which was committed to the Committee on Elections.

RESOLUTIONS

SENATE CONCURRENT RESOLUTION CHAPMAN PARK

Mr. BERGER offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 9, 1947.

Whereas, a park and recreational area has been projected for establishment in the Township of Mead, County of Warren, by the Department of Forests and Waters in cooperation with various sportsmen's organizations, to be located generally in the location of what is known as Bucher's Mills, and

Whereas, the interest of Dr. Leroy E. Chapman, Senator from the Forty-eighth District, in the establishment and location of the said park and recreational area has been of great assistance in furthering the plans for the same, and

Whereas, it would be fitting that such a project for the benefit of the public, bear the name which would recognize the service to the community of such a man as Doctor Chapman; therefore be it

Resolved, if the House of Representatives concur, that the park and recreational area to be established at or near Bucher's Mills in Mead Township, Warren County, Pennsylvania, be and the same hereby is officially named "CHAPMAN PARK", and shall be so designated on the plans and maps of the Department of Forests and Waters and of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

APPOINTMENT OF A COMMISSION TO STUDY A NEW SOURCE OF WATER SUPPLY FOR THE CITY OF PHILADELPHIA

Messrs. LLOYD H. WOOD and WATSON offered the following resolution which was twice, read, considered and agreed to:

In the Senate, June 9, 1947.

Whereas, The City of Philadelphia is in need of a new source for its water supply, and

Whereas, Proposals and plans which have been presented to carry out such a project involve encroachments upon the waters and lands of counties surrounding the city of Philadelphia which in any event are inadequate

to fulfill the great needs which a new source of water supply for the City of Philadelphia entails, therefore be it

Resolved, That the President pro tempore shall appoint a twelve-man committee composed of the Senators from Delaware, Montgomery, and Bucks counties; a Senator from the City of Philadelphia to be suggested by the Mayor of the City of Philadelphia; two citizens from Delaware County; two citizens from Montgomery County; and two citizens from Bucks County to be suggested by the county commissioners of their respective counties; and two citizens of the City of Philadelphia to be suggested by the Mayor of Philadelphia. The function of such committee shall be to reach an amicable agreement on the problem of a new source of water supply for the City of Philadelphia and to suggest the necessary legislation to effectuate its decisions in a report to be presented to the Senate of Pennsylvania when the next regular session of the General Assembly convenes.

The commission shall serve without compensation and shall choose a chairman from among its own membership. The commission, acting for and on behalf of the Senate, shall have power to meet, hold hearings and make its investigations whether or not the General Assembly is in special or regular session or is in adjournment.

SENATE CONCURRENT RESOLUTION

SCHOOL COMMISSION TO DELIVER ALL ITS FILES, REPORTS, ETC. TO THE JOINT STATE GOVERNMENT COMMISSION

Mr. WADE offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 9, 1947.

Whereas, The commission generally known as "The School Commission," created by the act of May 26, 1943 (P. L. 635) and continued by the act of May 24, 1945 (P. L. 953), for the purpose of making a study of public school finance, has completed its assigned task and is about to pass out of existence; and

Whereas, In the course of its studies, the commission has gathered a great deal of invaluable data and information, now contained in the commission's files, all of which should be preserved for future use; therefore, be it

Resolved, (If the House of Representatives concurs), That upon winding up its affairs The School Commission deliver all of its files containing all data, reports, material and information collected and compiled by it, to the Joint State Government Commission, to be by its preserved for use by it and such other agencies as may have occasion to study the financing of the public school system.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

RESOLUTION

TO DISCHARGE COMMITTEE ON BANKING FROM FURTHER CONSIDERATION OF SENATE BILL 620

Mr. TARR. Mr. President, on April 21 the gentleman from Allegheny, Senator Rahauser, and myself introduced in the Senate a bill known as Senate Bill 620, the purpose of which was to set up a State Veteran's Loan Authority as a body corporate and politic with power to guarantee bank loans for veterans in the Commonwealth.

To this date, Mr. President, no consideration has been given this bill, notwithstanding the fact that it has been approved by the legislative committees of the Veterans of Foreign Wars, the American Legion and the Amvets.

Mr. President, during this session of the General Assembly the returned veteran in Pennsylvania has found out that the shooting is over and so is the shouting.

We are now in the last week of our session and we have done nothing more constructive in either House than to give the crippled ex-soldier a free fishing license. That, Mr. President, is a far cry from the promises that we gave those boys when they were out risking life and limb during the last war.

This bill, Mr. President, was not something that was going to reach into the pockets of the citizenry of the Commonwealth; it was simply an agency which has been adopted in other states.

In the state of New Jersey this plan has been in effect for thirty-four months. It does not cost the state of New Jersey one penny. In fact, the state of New Jersey now shows a profit of \$400,000 and seventy thousand veterans in New Jersey have taken advantages of the borrowing power of this act.

Mr. President, we are not asking in this bill that we duplicate any of the provisions of our Federal G. I. Bill of Rights; we are only asking that the great Commonwealth of Pennsylvania set up an authority whereby veterans can be allowed to borrow money to start in business, to buy homes and to furnish them.

On behalf of the gentleman from Allegheny, Senator Rahauser and myself, with respect to further consideration of Senate Bill 620, I offer the following resolution and move its immediate consideration.

RESOLUTION

TO DISCHARGE COMMITTEE ON BANKING FROM FURTHER CONSIDERATION OF SENATE BILL No. 620

Messrs. TARR and RAHAUSER offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Resolved, That the Committee on Banking be discharged from further consideration of Senate Bill No. 620, entitled "An Act to promote the welfare of the veterans of this Commonwealth creating a State Veterans' Loan Authority as a body corporate and politic with power to guarantee bank loans to Veterans to establish themselves in business or professions authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act prescribing the powers and duties of said Authority and making an appropriation." Said bill having been in the hands of said committee for a period of ten days and more, having been referred on April 21st.

MOTION THAT RESOLUTION BE ADOPTED

Mr. TARR. Mr. President, I move the resolution be adopted.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BECKER. Mr. President, this is a very exciting moment in my life—this is the first time that it has been suggested that the Committee on Banking be discharged from consideration of any bill.

With respect to Senate Bill 620, Mr. President, I think the gentleman from Fayette has made a very ample statement about the merits of the bill. I think there are good things in the bill. The co-sponsor, Mr. Rahauser, spoke

before the committee and made a very able presentation for the bill. We had from New Jersey people who are administering the act in New Jersey and are doing it in a very splendid way.

The Committee on Banking of the Senate has considered the bill, we heard the proponents, and we have discussed it with the administrative leaders on both sides; Senator Rahauser discussed it with me within the week; and in view of the fact that we have sponsored a veterans' bonus and many other acts concerning veterans' legislation, we felt that the fiscal requirements of this bill were in excess of what the Commonwealth could undertake at the present time.

However, so that there may be no restriction of the rights of the sponsors of the bill, the gentleman from Allegheny, Senator Rahauser and the Senator who has just spoken, Senator Tarr, there is a meeting of the Committee on Banking of the Senate scheduled for tomorrow morning at ten o'clock, which previously had been announced, and these gentlemen are now invited to attend that meeting and they will be heard to the extent that they wish to discuss what the gentleman from Fayette has just said on the floor of the Senate.

Mr. TARR. Mr. President, I desire to interrogate the gentleman from Lebanon.

The PRESIDING OFFICER. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. BECKER. With pleasure, Mr. President.

Mr. TARR. Mr. President, due to the fact that the gentleman from Lebanon says there will be a meeting of the Senate Committee on Banking tomorrow, will we then, under the present sine die adjournment resolution, have time to consider Senate Bill 620 both in the Senate and House?

Mr. BECKER. Mr. President, I would respond to the Senator from Fayette by saying that we have a number of legislative days left; we have other matters, grave and serious matters, on the calendar that will have to be concluded before the House and the Senate adjourn.

MOTION WITHDRAWN

Mr. TARR. Mr. President, in view of the explanation of the Senator from Lebanon, I now withdraw my resolution calling for the discharge of the Committee on Banking from further consideration of Senate Bill 620, until tomorrow, and I request that the resolution be laid upon the table.

Mr. DENT. Mr. President, I withdraw my seconding of the motion.

Mr. BECKER. Mr. President, in view of the motion I wish to assure the Senators on the other side of the aisle that they will have a full and fair hearing tomorrow, not only for the Senators but for the veterans from whom they undertake to speak.

The resolution was laid upon the table.

MOTION TO DISCHARGE COMMITTEE ON JUDICIARY GENERAL FORM FURTHER CONSIDERATION OF SENATE BILL No. 76

Mr. DENT. Mr. President, I am about to perform a duty which I do not particularly like, that of asking for the discharge of a Senate committee.

However, before doing so I believe that in fairness I

should interrogate the Chairman of the Committee on Judiciary General, the Honorable Mr. Walker.

The PRESIDING OFFICER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. DENT. Senator Walker, is it your intention to call a meeting of the Committee on Judiciary General some time today?

Mr. WALKER. As I understand the question it is: does the Committee on Judiciary General intend to meet today; is that correct?

Mr. DENT. That is correct, Mr. President.

Mr. WALKER. The answer to that is in the negative, Mr. President.

Mr. DENT. Mr. President, on February 3, 1947, I introduced into the legislative hoper a bill known as the anti-K. K. K. bill, Senate Bill No. 76, enjoining and making unlawful certain organizations, the purposes, doctrines and practices of which discriminate against or persecute persons because of race, color or creed, or which deny or abridge them the rights, privileges and immunities granted them under the Constitution of the Commonwealth of Pennsylvania and of the United States.

A bill which was introduced into this body some four months ago to destroy that arch foe of Democracy, the K. K. K., was referred to the Judiciary General where, despite promises to bring it to the floor, it has languished since that time.

First our friends on the committee told us it needed amendments, but so far none were offered. Then, we were told it was being embodied in Senate Bill No. 306, the Revised Criminal Code, but a careful search of that bill fails to find it. But a search of the new "Crimes Act" finds much against the other arch foes of democracy, the Communists.

So, by the Grace of God and the wishes of Judiciary General, the K. K. K. is allowed to carry on its nefarious hate program in Pennsylvania, despite Governor Martin's tirade against it, and despite Governor Duff's campaign promises to root out all subversive groups.

The Nation has been the happy hunting grounds of native-born fascist organizations under many names and many guises. They have been ably discussed by Carlson in his book "Under Cover", and its later successor, I believe, "The Plotters". Their numbers are legion, their methods alike—they all peddle hate against some segment of our population. They all would like to take possession of the accumulated resources of other people by driving them from our shores.

Frankly, I have never felt that the Nation ever had anything to fear from either a handful of Communists or Fascists. They have nothing to sell the people of America finer than Constitutional Government; they only have nuisance value. But, like dripping water, they can corrode and they can poison the minds of many Americans who normally would have no interest in their wares. They are a standing challenge to our patience. They have no claim to our traditional freedom of speech and fair play.

RULE 39 SUSPENDED

Mr. TARR. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an

appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

One group, the K. K. K., has had a long and sordid history in America. You know it as well as I. These peddlers of hate, these men who profess an Americanism they do not understand or practice; these men who degrade the Constitution and would destroy it if they could; these men of intolerance who would make over America in their own image; these human termites, these hooded terrors, who are now riding the crest of bigotry and prejudice in the Nation and in this Commonwealth with impunity, have been condemned by all decent men and women throughout the Nation.

But condemnation is not enough. They must be outlawed and driven from our midst. These mechanical midgets, this mass of little bugs, surrounded by ghostly figures and doing their outrages in the obscurity of darkness, their ritual, a form of mass psychosis—must be ruthlessly destroyed.

We have witnessed the spectacle of the winners and the losers of World War No. 1 blame each other for the causes that started that war. The historians are already enmeshed in perplexity as to the claims and counterclaims as to who started this war. But we need not have any serious doubt as to who may bring about World War No. 3. We see it in the making under our eyes. On the one hand. We have Russia growing powerful, hungry for conquest, building a huge wall around herself that we may not enter and where Democracy, as we understand it, is not welcome.

Our peace-time armies and installations have been built to a size as large or larger than all our forces in World War No. 1; our young men—the leaders and thinkers of the future who have been taught peace and brotherhood at their mother's knees and in the churches of the land, are being taught the cynicism of war and how to be tough and how to use the weapons that kill and maim; we have seen our savings taken in taxes and spent on corrupt governments abroad and, under the guise of feeding the hungry abroad, have been spent to buy military bases and military alliances. We have seen our State Department rattle the saber; we have seen our ships sail to foreign shores in a spirit of defiance; we have seen our subservient press, baying like village curs in the light of the moon because their fellows do, peddling out a brand of propaganda initiated in the halls of our Government, in a manner reminiscent of the best Goebbels could do; we have seen incident piled on incident; we have seen provocative speeches made; until we shall soon learn, and the fathers and mothers of the growing sons of the land shall soon earn, that instead of Twenty-five years of peace between World War No. 1 and No. 2, it will only be ten years or less between World War No. 2 and World War No. 3, after which there will be no civilization left in the length and breadth of the world.

The only foreign policy we have—and it ought to be less foreign and more policy—is to oppose Russia on any of her frontiers, to deny her access to a warm water port, and thereby carry out the program of the British

Foreign Office that she herself is no longer able to effect.

And why? All because the forces of reaction are back in the saddle, because it gives an issue to revive the failing political fortunes of our National Government; because the forces which have loved Fascism and Naziism and which went underground during the war have been invited to come out again in the open in a common cause against a people we do not like and on whom, with fiendish delight, some of our privileged classes would pour the destructive atom bomb, while, as they think, we have the superiority to do so.

I am not here to extol the philosophy of Russia. I do not subscribe to its lack of faith in a human Bill of Rights. I am aghast at its suppression of the right of freedom of the press, of assembly, and of religion, among its own people. I despise its feudalism, its subservience of the individual to the monstrosity of the State; of its social philosophy that degrades the dignity of human endeavor and makes virtual slaves of right-thinking men and women; I condemn without reservation its brutality; its contempt for democracy; its invasion by propaganda and force of other peace-loving nations.

But I can not forget that in the past War they were our Allies—not the Fascists and the Nazis; that 14,000,000 of their people died, in order that our sons may be spared to live, that it was their lands and homes and people that were ravaged by the most brutal nation that ever lived, a nation that the K. K. K. have revered as its idol. And I for one am not going to stand by in silence and see them declared the enemies of our people by the laws of our land, while those who stand for the things our sons fought and died to prevent are allowed to thrive and exist under our very noses.

America, the home of liberty and of liberalism, that was itself born in the cradle of revolution and against a form of tyranny we now embrace in our alliance with England, has become the spear-head of re-action around which all the forces that despise Russia's people can rally. We are now shaking the bloody hand of France; we are trafficking with Peron, the Argentine Dictator who is out Mussolining Mussolini; we are telling all the Fascist and Nazi World that the war we fought against them was a mistake.

For the last 170 some odd years, the political life of the country was carried on through the operation of two great parties. Both parties have been strong enough to prevent the growth of a permanent third party. The everyday problems of social and economic life debated and considered by one or the other of these great parties has been based upon the belief that we are living in the shadow of an immortal Constitution supporting a living and flourishing democracy, and based upon the belief that the right of the individual to enjoy his freedom under our Bill of Rights is paramount to the rights of any state or any minority group, especially such a group that violates the spirit of the Constitution.

Democracy is not always wise; it is not always fair; it is sometimes tyrannical and often hysterical. And it works poorly during a big crisis, when uncompromising, quick, decisive action is needed. But in spite of its many failures, it has broken the spell which has kept the governed in subjection to their governors. It has sought to banish fear from the hearts of men by sub-

stituting for an angry God, a kindly father, who has given reason to man, that by insight into God-given forces, he may fashion a clean and abundant life for himself and his fellow men. It is a government based on man-made and not time-made society; on the free play of individual forces; on the free exchange of ideas; on the principles of fair play and co-operation; on the belief that every man has his hour and everything its place. Was it not a wise old Greek who said: "The success of a republic depends upon frequent returns to the principles upon which it was founded." There has never been any room in any of these united sovereign states for the forces of intolerance and anti-Americanism, whether its color was red or any other color, and whether stemming from foreign born or native born.

Many fine names have been indelibly written in the chronicles of this beautiful chamber; many true hearts have throbbed here to the sweet song of democracy. Out of the dim recesses of the past, we have plucked the fire-brand of ignorance and intolerance, but God forbid that the day dawn when its flickering flames shall desecrate these walls. For the sake of those who have labored here before us, for the sake of those who will follow in our wake, let this not be the day or the place where we put our stamp of approval on any form of ugly intolerance, let us not make the first breach in the walls for tyranny to pass. Let us in the name of the great commonwealth that we honor and serve prove to everyone who may see or listen that this body dares to destroy the copper-heads in our midst. Let us say in the words of Holy Writ: "Recompense to no man evil for evil. Provide things honest in the sight of all men."

Mr. President, I have before me an editorial that appeared recently, which contains an astounding statement. The editorial is entitled, "We Must Fight the Klan and All Hate Groups," and it goes on to say:

"There is something almost terrifying in the complacency with which the members of a Congressional sub-committee announced, after a ten-minute investigation, that there is no need for alarm over the resurgence of Fascist-type organizations in this country.

"The Ku Klux Klan, the Columbians, and other groups that make a career out of promoting racial and religious prejudice are thus dismissed as of no consequence and nothing to worry about."

Further on in the editorial it recites that Congressman McDowell of Pennsylvania, Chairman of the House Committee on Fascism, makes the astounding statement, and I quote from his statement, that: "We're not finding much in the way of things that could grow into Fascism. There are groups here that hate Catholicism and hate Jewry and hate one thing and another, but, as far as I can find, there is no evidence they are dangerous."

In this file, Mr. President, I have just a small amount of material that I have gathered in the past few years from organizations whose whole concept of Americanism is one to sow hatred, is one that would tear from us the unity of man towards man. These groups have recently come up out of the ground where they had hidden during the war. Right here in Chambersburg we have a man who has had the audacity to proclaim through public advertisement the fact that the Ku Klux Klan is again

in existence and that he is the Grand Kleagle of that organization and is asking for membership.

Mr. President and members of the Senate, there are men and women in this state of ours who would blame all the evils, all the ills of this state, upon a certain racial group, and there are men who go so far to print what they think, and I have in this file here, where anybody can examine it, letters, propaganda, pamphlets that bear out my opinion. Here is a letter that I would like to read to the members of the Senate. I do not believe that any person in this room subscribes to the philosophy contained in this letter, and yet here it is where all men can see it, and signed, too, by a man who claims to be the National Chairman—this is from the Protestant War Veterans of the United State, Inc. This organization was incorporated under an act of Congress of the United States for the District of Columbia. They start out with a very fine slogan, one that no man can find fault with. It says here that they believe in "honoring our heroic dead by helping the wounded" and then this is what they have to say, and this is addressed to me.

PROTESTANT WAR VETERANS OF THE UNITED STATES INCORPORATED

1211-A Connecticut Avenue, N. W.
Washington, D. C.

Hon. John H. Dent.
State Senate
Harrisburg, Penna.

"Dear Senator Dent:

"Your proposed bill to outlaw "The Klan" is both unconstitutional as well as unAmerican, and if The Klan in Pennsylvania stands for it, this organization will come in there with both feet, and make the Great State of Pennsylvania the battleground to restore, we said restore, the full rights of the Federal Constitution to the only free men of America, the Protestant majority.

"Thomas Dewey, Governor of the State of New York under the direction of the Anti-Defination League (a Jewish organization) one of the most vicious unAmerican units in the country, with its informers and spies in all patriotic groups, but Tom Dewey has at long last awakened to the fact that he signed his political death warrant as far as the Republican nomination in 1948 is concerned, he could not be elected as national dog catcher now, or at any other time.

"Any American, and especially native born, has the right to organize themselves, in order to defend and protect their rights under our Federal Constitution, and you better go and read it, but the Knight of Columbus has no right, for it is truly a foreign agent, just as is the Communist party, for Rome is a Sovereign State, and my authority is none other than our Department of State, here in Washington, D. C. so go ahead, we need to fight this issue before the American people in the courts, uncontrolled, yes the United States Supreme Court, that's where to settle this issue."

This communication is signed Edward James Smythe, National Chairman of the Protestant War Veterans of the United States, Incorporated.

You may think that is a laughing matter but here is an organization constituted under an act of the United

States Congress that allows its national commander to go on record with statements of this kind.

You believe, some of you, that there is no danger to groups in this state who do not believe in God in the same way that you and I do, you do not believe there is any danger to the health and welfare of these groups but, as a young man, I can remember the blazing cross that was burned not too far from my back door because my people had been brought up in the Catholic faith. I can remember when men were taken out in the night, in the small mining community in which I was born, taken out along back roads of that community and beaten to within an inch of their lives and taken home and dumped upon the back porch of a miserable coal shanty. I can remember when this was common. No. Mr. President, it is not common any more but just as surely as we sit here in this Senate this afternoon, when we refuse, for whatever reason, to take specific action when that opportunity is presented to us, to show that we disagree with these concepts of American democracy and constitutional rights, then we are aiding and abetting those who would again revive the law of fear and the law of hatred.

I say to you men of the Senate of Pennsylvania that this bill should not die in the Committee on Judiciary General, that there is too much at stake. When all of us are fighting for our national life, shoulder to shoulder fighting against any encroachment upon American democracy by any foreign ideologies, why should we show any weakness or disunity against those who would destroy from within. There is not a man in this room who would not vote immediately to set up any kind of restrictive legislation against communism as such, and yet we are not courageous enough to vote against something which, to my mind, is even more dangerous—that type of hidden government that comes out only in the light of the moon, to take innocent men or their families and to hear again the shrieking children at night and the weeping women because their husbands and fathers have been taken out into the unknown by a group of hooded men who have not the courage to show their faces to their fellow men.

This is going on in this state of ours today. In the month of March there were three crosses burned by this invisible group in Beaver county, there were seven crosses burned in Westmoreland county.

The burning of these crosses is symbolic of the hatred that this group has in their hearts. They hate for the mere desire of hating. They have a conception of government foreign to that that I believe in. Every paper in the state of Pennsylvania, and I can show editorials to prove it, immediately upon presentation of this bill, wrote editorials something along these lines—"Outlaw the Klan"—this is from the Philadelphia Daily News of February 5, the day after the bill was introduced, and which reads as follows:

"OUTLAW THE KLAN

"Short work should be made of the measure introduced in the legislature yesterday by Sen. John H. Dent, Westmoreland Democrat, under the terms of which the Ku Klux Klan and all other similar bigoted and intolerent organizations would be outlawed in Pennsylvania. This

measure should be the answer to the persons who, taking advantage of the fact that there was no prosecution during an investigation of the KKK last year, are organizing again and have solicited openly members for the hate outfit, particularly in Franklin county, where H. H. Sheppard, a Chambersburg businessman is the chief. In another column on this page today, Sheppard discloses the same arrogant, defiant attitude for the principles of Americanism that has characterized the organization he represents. The letter, an example of the mass mentality of persons who belong to such associations, also discloses the familiar cry that they are "good Americans," belong to church and are useful citizens.

"It is difficult to see how anyone, regardless of whether they attend church regularly, vote on election day or tend their business like decent citizens, can claim to be a good American when they subscribe to such principles as those promulgated by the klan and its subordinate groups. The deviousness of their activities is shown by the weaseling on the word "incorporated" which is used as a device to escape the law as it stands now.

"On the other hand, if the Dent act is enacted quickly, the plans of these organizations can be nipped in the bud before they go far. The measure contains teeth sufficiently sharp to make it extremely uninteresting for promoters of such organizations to engage in activities that will bring them afoul of the law, and to those who feel that it is their inherent right to belong to such groups and abridge, by violence and intimidation, the rights of other citizens.

"There is nothing that should be left undone to rid Pennsylvania of the klan and its kindred units. This commonwealth is no place for them to breed."

Mr. President and members of the Senate, I have refrained until the last day from taking the action that I am now taking, having faith at all times that this committee would present this bill for a fair vote of the members of the Senate of Pennsylvania. Time after time I have gone to the chairman. He has told me that it needed amendments. I said, "Mr. Chairman, put your amendments in, I do not care how you amend this bill so long as you do not destroy its purpose; I am not selfish nor am I one who is imbued with a pride of authorship; I am willing to remove my name as sponsor if it will help passage of this bill; I am not a bit interested in who puts the bill in; I am interested in seeing the job done," and I say to the Republican members of this Senate that no standpatism on any so-called rule of the Senate, unwritten as it is, that you can not vote for discharge of a committee, shall take away from you as individuals the onus of having defeated this legislation when I ask for the discharge of this committee.

As a last minute hope I interrogated the chairman of that committee in the hope that there would be another meeting of that committee. You all know that the sine die adjournment resolution has been adopted; you all know that to all intents and purposes this is the last week of this session of the Legislature and in order that we may pass this legislation we must act today.

The committee chairman has stated it is not the intention of that committee to have a meeting today.

Therefore the only manner in which you as individual members of the Senate, and as Americans, can vote for this piece of legislation, to strengthen our believe in the

constitutional conceptions which we all believe in, is to vote at this time to discharge this committee from any further consideration of Senate Bill No. 76 and bring it before the Senate, where all men can be counted as to how they stand.

For years and years and years and years I have disbelieved the bugaboo of tradition. I believe that tradition is often used to hide the weakness of the person. The members of this Senate must stand up upon this vote. Just as I said to the members of the Senate on the vote to recommit the oleo bill, at that time I made the statement that a vote to recommit was a vote for or against that particular bill. The actions of this committee have upheld my contention at that time. And so I say to you again today that your vote for or against the discharge of this committee will tell the people of Pennsylvania how you feel for or against this type of legislation. You may salve your own consciences by hiding behind tradition but you can not take away from yourselves your personal obligation to vote in order that this bill may be presented where all men can be counted for what they stand for.

I want to say to you, Mr. President, that many and many a man, many a youth, died in the sincere belief that this group or any other courageous group of legislators would have the courage to tamp out, if given the opportunity, this type of organized hatred, organized bigotry.

I have before me a telegram received from Indianaopolis, stating that the Legislature there has passed this same bill, outlawing the Ku Klux Klan in that fair state. All over the United States men and women have taken into consideration that, if we are to march together to a more peaceful world, we have got to march as men and women tolerating each other's beliefs. We talked a good game—now let us see if we can play a good game.

Mr. President, I offer for consideration of the Senate a resolution calling for the discharge of the Committee on Judiciary General from further consideration of Senate Bill 76, and move its immediate adoption.

Mr. BARR. I second the motion, Mr. President.

RESOLUTION

TO DISCHARGE COMMITTEE ON JUDICIARY GENERAL FROM FURTHER CONSIDERATION OF SENATE BILL No. 76

Mr. DENT offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Resolved, That the Committee on Judiciary General be discharged from further consideration of Senate Bill No. 76, entitled, "An Act enjoining and making unlawful certain organizations, the purposes, doctrines, advocations or practices of which, discriminate against or persecute persons because of their race, creed or color; or which deny or abridge the rights, privileges and immunities granted to the people under the Constitution of the Commonwealth of Pennsylvania and of the United States; and prescribing penalties." Said bill having been in the hands of said committee for a period of ten days and more, having been referred on February 3rd.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an

appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. WALKER. Mr. President, in reply, I would like to say for the information of the members of the Senate, without attempting to discuss the remarks made by the gentleman from Westmoreland, that this bill was considered by the committee on several different occasions. At one time I believe, if memory serves me rightly, the committee invited the gentleman from Westmoreland, the sponsor of the bill, to appear before them and discuss the matter.

The question as to whether or not the bill would stand up and do the things the sponsor anticipated was discussed by the committee. The question as to whether or not the remedy which the sponsor of the bill is seeking was contained in the penal code, which had already passed this Senate and is in the House, was also discussed by the committee.

When the bill was considered in the committee, and since the resolution was presented and seconded by the gentleman from Allegheny, Senator Barr, I have been trying to recall whether the seconder of the resolution was present at the time the bill was considered in committee. I am also trying to recall, Mr. President, whether or not there was ever a motion made to report the bill from committee: To the best of my knowledge—and I submit this question of fact to the members of the committee who were present as to whether or not this is correct—I do not recall any motion being made, even by the seconder of this discharge resolution who is a member of the committee which he is now seeking to discharge, to get this bill out of committee.

It was too, the firm opinion of most members of the committee, who were considering the bill and studying the penal code, that the remedy that the gentleman from Westmoreland is attempting to apply to this organization is already in the penal code and therefore a separate bill was not necessary. This information was transmitted at the time the penal code was on the floor to the gentleman from Westmoreland.

Mr. President, I appreciate the desire of the gentleman from Westmoreland to have the remedy applied and I again wish to say to him that in my opinion the remedy is in the penal code which has already passed this Senate.

I also want to say to the gentleman from Westmoreland that in spite of his assertion I will not agree with him that a vote not to discharge the committee of which I am chairman indicates that I am in sympathy with the Ku Klux Klan or any similar organization. That would be a stretch of the imagination that I do not think the gentleman from Westmoreland is attempting to apply. He suggested, if we vote "no" on this resolution, that we are asserting our position with regard to our personal opinions of the Ku Klux Klan. That, Mr. President, is not the case. The action on the bill was taken entirely on its merits and not with any religious or racial emotions, and the gentleman from Westmoreland knows that full well.

I do not propose to debate on the floor of this Senate whether or not I can be classified by the gentleman from Westmoreland as pro or con with regard to the Ku

Klux Klan. He knows my position very well on that point and I do not think he is attempting to attack either the chairman of the committee or any member of the committee personally with regard to his position on a racial or religious group of this type.

In my opinion, Mr. President, the bill has been very fairly viewed by the committee, the committee honestly felt that the provisions of the bill were contained in the penal code, the code has already passed the Senate, as has been pointed out to the sponsor of this bill, Senate Bill 76, at the time the penal code was before us, and I think that under the circumstances nothing can be gained by having a repetition of what is already in the penal code.

Mr. BARR. Mr. President, with regard to the statement of the gentleman from Allegheny, Senator Walker, concerning my seconding of the motion, I would like to state that I was at the meeting the day this bill was discussed. At that time the chairman of the Committee on Judiciary General said he thought probably this bill needed a little amendment, or some amendments and, further, he felt it was going to be covered in the new penal code.

Since that time we found it is not in the penal code and he has been so advised and he has not brought this bill up for discussion before the committee.

Secondly, the gentleman reiterated a statement made here some weeks back, when he said he did not think a vote "no" to recommit Senate Bill 190 was a vote against the oleomargarine bill. At that time I told the gentleman from Allegheny I thought it was a vote to kill the bill, and the gentleman has so found out since, because that bill has never seen the light of day since then and that same thing holds here today.

Mr. DENT. Mr. President, I know that lengthy discussion will not gain any votes. However, in order to clarify the situation I want to state, in order that there may be no misunderstanding as to the democratic viewpoint upon the question of discharge of committees, in 1933, when the Democratic party had thirty members in the House of Representatives, they attempted on numerous occasions to discharge committees of the House and the Republican majority at that time stood upon tradition and stated that such a motion could not be tolerated under the rules of the House.

In 1935 I became a member of the House of Representatives and the Republican minority had a total membership, I believe, of 83 votes or 85—I forget exactly what it was at the moment. The first act of the Democratic majority, Mr. President, was to change the rules in order that any committee of the House of Representatives could be discharged by a vote of the minority. We have always taken the position that any legislation introduced is entitled to a full hearing of the legislative body in the branch in which that legislation has been introduced.

Two years later, when the Republicans again had a majority in the House of Representatives, we found that they immediately changed that rule to where it took a constitutional majority to discharge a committee.

For years, Mr. President, I have fought in the Senate for this same principle of democracy, that if a minority group has legislation it feels is important to the welfare of its constituency, the people of Pennsylvania, it ought

to have the right to discharge the committee that holds that legislation. Never in the history of this Commonwealth have committee chairmen taken the autocratic position that they take in the Pennsylvania State Senate at this time. In the main, Mr. President, you can not call up legislation introduced into that committee unless the autocratic chairman so desires and so proclaims; in most instances the chairman comes before the committee with a list of bills and you will either work on the bills that he wants worked on or you work on nothing. The chairmanships of committees are the controlling factors in legislation in Pennsylvania at this time and I want to say to the members of the Senate that it is a far cry from the democratic spirit that set up the standing committees of the Senate of Pennsylvania because, Mr. President, membership on a committee means absolutely nothing, and I say that from a little experience in this Commonwealth. When the Democratic party was in control the only legislation discussed in committee was that which was called up by the members of the committee; the chairman was nothing but a man who sat there as chairman and took the votes "yes" or "no".

Now, Mr. President, the position has been reversed and committee membership means nothing, whether you are a majority member or a minority member, you all have the same equal status, you do not amount to anything, you are just a number on a page and a name on a list; the chairman says what bills you will take up and the chairman tells you which bills will come from committee, and therefore I say to you men that I reaffirm the position I first took that a vote to discharge this committee at this time is a vote in the interest of good decent, clean government in Pennsylvania and a vote against it is a vote to help those groups who would seek to sow the seeds of hate throughout the length and breadth of this Commonwealth.

Mr. TALLMAN. Mr. President, I do not propose to discuss the issues of this bill upon which a motion has been made to discharge the committee. I rise again to state a position and in addition to that I rise to say that this side of the Senate is not going to be impressed, nor is it going to be intimidated, by the threats or statements of the gentleman from Westmoreland, who believes that because he stands on the floor of this Senate and makes a statement that everyone within his hearing must of necessity agree with him.

Mr. President, this matter of discharging committees is not a new maneuver in this Senate; it is one that, just like the spring flowers, always comes up at this time of the year from the other side of this Chamber.

I have some little resentment, Mr. President, to the gentleman's statement that every committee chairman in this Senate is an autocratic person who determines to do just what he will whenever he wants to do it. I think the gentleman from Westmoreland will, upon further consideration, retract a portion of that statement, certainly as it affects certain members of the Senate who are chairmen of committees, and I want to say that this side is going to take the position—and this will not be the first nor the last of these motions—that we will stand fast by the orderly way of doing business in this Senate and not permit a committee to be discharged upon this kind of motion.

Mr. DENT. Mr. President, it seems I always have to refer to the record. If the stenographer will read that portion of my statement in which I said that in the main committee chairmen are autocratic in their attitudes I think it will clarify the situation so far as the position taken by me is concerned—I need not say I said so-and-so; we will just let the stenographer read exactly what I said relative to that matter.

The PRESIDING OFFICER. Does the gentleman from Westmoreland request that the reporter read back the statement in question?

Mr. DENT. I do, Mr. President.

(The reporter repeated from Senator Dent's previous remarks as follows:

"—Never in the history of this Commonwealth have committee chairmen taken the autocratic position that they take in the Pennsylvania State Senate at this time. In the main, Mr. President, you can not call up legislation introduced into that committee unless the autocratic chairman so desires and so proclaims; in most instances the chairman comes before the committee with a list of bills and you will either work on the bills that he wants worked on or you work on nothing—")

Mr. WALKER. Mr. President, as the gentleman from Lehigh just said, about this time in the year every session there are quite a number of motions made to discharge the Committee on Judiciary General from further consideration of various bills. Due to the work the committee performs and the bills that are referred to it, there are frequently bills in that committee that members would like to get out of committee, of which the committee does not approve.

The question of discharging committees resolves itself into the question of whether or not that bill has been considered. I think the gentleman from Westmoreland will admit that his bill was considered by the Senate Committee on Judiciary General.

Secondly, Mr. President, the gentleman from Westmoreland referred to the actions of the committee at committee meetings, where the practice has been to inquire if there is any bill in committee any member would like to discuss and never at any time has this particular bill, Senate Bill 76, been brought up by any member of the committee.

I do not think the Committee on Judiciary General has dealt unfairly with the gentleman from Westmoreland, Senator Dent, they have given him every consideration that the merits of the bill warrant and they have even extended themselves because of the fact that he has been and is on very friendly terms with the members on both sides of the aisle and with the members of the committee.

Mr. BARR. Mr. President, I am not going to try to go back to the actual words of the gentleman from Lehigh, Senator Tallman, but I am going to refer to the arrogant chairman of the Committee on Highways. At a meeting of that committee last week, attended by eighteen members, I asked him to consider House Bill 508, which passed the House by a vote of 196 to 5, which in the main states that the State Highway Department—and this is a "may" bill—may take over bridges in first-class cities, because the State Highway Department does maintain the bridges in every borough and every township and in the first-class cities of this state—and he, in

his usual arrogant way said, "This bill will not be discussed" and he further went on and told me that he had made a deal. I asked him with whom and he said "with some of your city officials." Mr. President, I have checked and he made no deal at all with any city official. I understand he did talk with a couple of civic-minded people who were down here and more interested in another bill, and that is with whom he made the deal. I informed the gentleman how the officials of the city of Pittsburgh and the county of Allegheny County feel and he said "You might just as well keep quiet, we are not going to discuss your bill."

Mr. President, I reiterate that the gentleman from Westmoreland, Senator Dent, was entirely right in his statement, because we have the most arrogant chairman of all as chairman of the Committee on Highways in the Senate.

Mr. WALKER. Mr. President, the motion is to discharge the Committee on Judiciary General and I resent the attempt to bring the Committee on Highways in on my territory. I think if we are going to make remarks about autocratic chairmen we ought to take them one at a time; I think the gentleman should take up his quarrels one at a time. Let me be the villain at the moment.

Mr. HOLLAND. Mr. President, Mr. Tallman, the majority leader, stated that discharging committees is not orderly procedure, but it is the only thing you can do when you have a situation like this in the Senate. Under Rule 43 the right to discharge a committee is granted, requiring a majority vote of all members elected to the Senate. Therefore that is orderly procedure and I do not want the impression to be given that it is something that is not done by legislative methods because it is the only right we have to show how certain people vote on bills they are pickling and on which they do not want the public to know how they stand, this is our only way to do that, by voting to discharge the committee and letting the record show how they vote. The record of votes given today by the various individuals, when a vote is taken on a motion to discharge a committee, is the same as voting for or against a bill.

In this case a vote "no" to discharge the committee is a vote in favor of continuing the Ku Klux Klan in Pennsylvania.

And the question recurring,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and Mr. DENT and was as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—34

Becker,	Farrell,	Mallery,	Walker,
Berger,	Frazier,	Scarlett,	Watson,
Blass,	Geltz,	Snowden,	Wilson,
Carr,	Hare,	Stevenson,	Wolfe,
Chapman,	Homsher,	Tallman,	Wood, L. H.,
Crider,	Kephart,	Taylor,	Wood, T. N.,
Crowe,	Letzler,	Tyler,	Heyburn,
Doehla,	Lord,	Wade,	Presiding Officer
Donlan,	Mahany,	Wagner,	

So the question was determined in the negative.

Mr. DENT. Mr. President, I would like to hear that total vote again?

The PRESIDING OFFICER. The vote as announced was 16 "ayes" and 34 "nays" and therefore the motion fails.

Mr. DENT. Mr. President, I believe this to be one of those important votes where the individual has a personal preference in the matter. I note that there is at least one empty chair and that individual may not desire to have his name catalogued with those who voted to keep this type of legislation in committee.

I never objected to a man being recorded on any measure that deals with other than something of a personal nature. The way a man feels about this legislation is personal and not academic and, therefore, I do believe that in fairness to the individual who is missing that he should not be recorded at this time.

The PRESIDING OFFICER. For the information of the gentleman from Westmoreland somebody answered when the name of that individual was called. No verification has been asked for.

Mr. BARR. Mr. President, I ask that his name be stricken from the roll; he is not in the Senate.

The PRESIDING OFFICER. The Chair has no right to strike the name of any Senator from the roll.

Mr. TARR. Mr. President, it is perfectly all right with us if you want to leave it that way.

The PRESIDING OFFICER. The gentleman has a right to ask that the roll be verified.

Mr. TARR. No, Mr. President, that is all right.

Mr. DENT. Mr. President, I have discussed this matter with certain individuals and I think they might not like having their names so listed. However, that is a matter for the Chair, the decision has been made and I go along with it.

MOTION TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF SENATE BILL 629 AND SENATE BILL 127.

Mr. DENT. I have before me, Mr. President, a group of bills. These bills, Mr. President, represent in toto the labor program for Pennsylvania, designed to give to labor those benefits and rights promised by both political parties in their campaigns last year. In these bills you will find, Mr. President, that we are asking for increased benefits for workmen's compensation, increased benefits for unemployment compensation; we are asking, Mr. President, that unemployment compensation be put on a state-wide basis, whereby merit rating would apply to all industries and all employers in the Commonwealth of Pennsylvania, when the fund reaches a certain low and a certain high level.

In these bills, Mr. President, you will find that we try to bring to Pennsylvania's workmen, in substance, legislation that would put them on a par legislatively with men who work for a living in neighboring and comparable states.

For instance in workmen's compensation, Mr. President, we find that the Pennsylvania acts are all elective, which employers accept or reject. We find that the benefits, according to the Division of Labor Standards for the United States Department of Labor as of June, 1946, are as follows: for fatal injuries, Pennsylvania pays for three hundred weeks; all states except Vermont pay for higher periods. In Pennsylvania we find that Pennsylvania pays

\$12 a week maximum to the widow, and all states except Delaware, Idaho, Nevada, Oregon, Washington and West Virginia pay more. In Pennsylvania we find that the permanent total disability maximum is \$20 a week, \$10 a week minimum, and the actual wage if \$5 a week is not earned. States paying up to \$30 are California, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, South Carolina, Utah, Wisconsin, U. S. Civil employes and longshoremen. Pennsylvania pays for a time limit of 500 weeks. The states of Arizona, California, Colorado, Idaho, Illinois, Massachusetts, Nevada, New York, North Dakota, Ohio, Washington, West Virginia, Wisconsin and U. S. Civil employes of the United States Government pay for life. Pennsylvania pays a total limit of \$10,000 when a man loses his life in industry. States paying unlimited are Arizona, California, Colorado, Idaho, Missouri, Nebraska, Nevada, New York, New Jersey, South Dakota, Ohio, Oregon, Washington, West Virginia, Wisconsin, U. S. Civil employes. Other states paying more than Pennsylvania are Connecticut, Delaware, Michigan, Montana, Oklahoma, Rhode Island and Wyoming.

Mr. President, it is unbelievable that this state, which once stood forty-fifth out of the forty-eight states in its payment of benefit payments to injured workmen in the Commonwealth, and then in 1935 and 1937 was raised to ninth in the entire United States, has again dropped back to the thirty-eighth position in this great commonwealth of states.

Mr. President, this is a great industrial and mining state. The manner in which we treat our workmen by law is known to every workman all over the United States. I say to you that this rich and flourishing state of Pennsylvania has been niggardly in its payments to men injured in work, engaged in industry and mining, niggardly in its payments. Those of us who have fought for better and higher payments and longer periods of payment to injured workmen in Pennsylvania believe Pennsylvania should increase its payments. At every session of the Legislature since 1939, when the Republican administration took over under Governor James, we have attempted to increase benefits for workmen.

You will all remember how, in 1939, under Governor James, the bill of 1937 was emasculated with dire results to men who work for a living. In this administration and in this year of our Lord we find the only labor bills are those which restrict privileges of labor, restrict and deprive them of their rights. This is the type of legislation that is promoted for the health and welfare of men and women who work in industry, men and women who work deep in the mines, in the bowels of the earth, creating that wealth which we share.

Mr. President, I will not present to the Chair resolutions asking for the discharge of committees on all these bills but I assure the Chair that if we were operating under democratic processes of government and the minority could by unanimous vote call to the floor any piece of legislation in the legislative hopper, I would ask this body to go on record as to how the members stand on this important legislation, but I say this is symbolic of our attempt to bring before the Senate of Pennsylvania worthwhile legislation, aimed to give greater benefits to those who create the wealth which we share.

Under unemployment compensation Pennsylvania has a variable duration of from nine to twenty weeks. Fourteen states pay for a total number of weeks greater than Pennsylvania. Pennsylvania pays for twenty weeks and, under this misconception of a liberal bill that was recently passed, they took away certain benefits from men who are unemployed that tended to increase the number of weeks to twenty four and industrial history proves, Mr. President, that when a person is unemployed for six months that he has pretty nearly reached the stage of permanent unemployment.

However, Mr. President, I say to you that what we ought to do is to increase the weekly benefit and let the number of weeks expand, if necessary.

I will not read the contents of the Pennsylvania law, because most of the men in this Senate ought to be acquainted with it. I will say, however, that I ask that these resolutions be given a reading and ask for their immediate consideration and adoption.

Mr. President, both of these resolutions ask for the discharge of the Committee on Labor and Industry, one from further consideration of Senate Bill 629, dealing with workmens compensation, and also Senate Bill 127, dealing with unemployment compensation.

So, Mr. President, at this time and without further argument in favor of these resolutions, I present to the Chair the following resolutions and ask their immediate adoption:

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF SENATE BILL No. 629

Mr. DENT offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Resolved, That the Committee on Labor and Industry, be discharged from further consideration of Senate Bill No. 629, entitled, "An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' changing maximum and minimum rates, periods, total amounts and aggregate of compensation, changing the system of computation of wages for compensation purposes, changing practice and rules of evidence, defining earning power after personal injury, authorizing the board to terminate compensation in certain cases, changing the classes of dependents entitled to compensation in case of death, changing powers, and duties of the board and imposing additional penalties, authorizing the department, the board and the referees to approve compromise agreements in certain cases and generally amending, clarifying and changing the provisions of said act." Said bill having been in the hands of said Committee for a period of ten days and more, having been referred on April 22nd.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. BERGER. Mr. President, the bills the gentleman from Westmoreland has referred to in his remarks, and from which he is now asking that the Committee on Labor and Industry be discharged from further consideration, are in the Committee on Labor and Industry.

Mr. President, I believe the gentleman from Westmoreland will be honest enough to admit that at each meeting of the Committee on Labor and Industry the chairman of that committee has announced that there are numerous bills in his hands and that any bill before the committee was there for consideration if called up.

Up until this moment, Mr. President, no member of the committee, including the gentleman from Westmoreland, Senator Dent, who is a member, or his minority colleagues, have called up any of the bills to which he refers and concerning which he asks the Committee on Labor and Industry to be discharged from further consideration of those bills.

Mr. DENT. Mr. President, I have in my possession letters to the chairman asking that these bills be given consideration and public hearings. The committee chairman refused the request. Therefore, there was no other position that we could take than that the committee chairman decided that such bills were not considered and, according to his statement, are not considered by the committee and were not before the committee for consideration.

I want to add that when the resolutions have been voted upon I want to submit to the Chair, with the permission of the majority, a list of all the bills that we as the minority feel ought to be voted on by this group in the open Senate, and I would like to have inserted into the records of the Legislative Journal the numbers of various bills that we believe have been buried in committee.

These bills are Senate Bills 128, 127, 74, 52, 629, 619, 509, 511, 510, 456, 405, 127, 122, 76, 297, 322, 406, and 301.

And the question recurring,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—32

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Walker,
Blass,	Geltz,	Snowden,	Watson,
Carr,	Hare,	Stevenson,	Wilson,
Chapman,	Homsher,	Tallman,	Wolfe,
Cridger,	Kephart,	Taylor,	Wood, L. H.,
Crowe,	Letzler,	Tyler,	Wood, T. N.,
Doehla,	Lord,	Wade,	Heyburn,
			Presiding Officer

So the question was determined in the negative.

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSIDERATION
OF SENATE BILL No. 127

Mr. DENT offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Resolved, That the Committee on Labor and Industry, be discharged from further consideration of Senate Bill No. 127, entitled, "An Act to further amend section four hundred four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937-P. L. 2897), entitled, 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' changing the schedule of weekly payments and making of uniform duration the period in which such payments are made." Said bill having been in the hands of the said Committee for a period of ten days and more, having been referred on February 10th.

RULE 39 SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—33

Becker,	Frazier,	Scarlett,	Walker,
Berger,	Geltz,	Snowden,	Watson,
Blass,	Hare,	Stevenson,	Wilson,
Carr,	Homsher,	Tallman,	Wolfe,
Chapman,	Kephart,	Taylor,	Wood, L. H.,
Cridger,	Letzler,	Tyler,	Wood, T. N.,
Crowe,	Lord,	Wade,	Heyburn,
Doehla,	Mahany,	Wagner,	Presiding Officer
Farrell,	Mallery,		

So the question was determined in the negative.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I rise in place not to move to discharge a committee but to make an appeal for a bill that I presented to this body on the twenty-seventh day of January, Senate Bill 43, which is resting peacefully in the Committee on Public Health and Welfare.

Mr. President, this bill is of great interest to every person in this chamber and to every human residing in Pennsylvania. I am hoping that I may be able to influence the Committee on Public Health and Welfare to call a meeting today and report this bill out.

This bill, Mr. President, deals with life in itself. This

bill provides that every person who may be a blood donor at any hospital or any doctor's office must first undergo a Wassermann test. We have in this great Commonwealth thousands upon thousands of people daily who are called upon to perform blood transfusions and we have found in every hospital that innocent people are getting transfusions from donors whose bloodstreams are not pure, we are injecting into the bloodstreams of innocent people diseases of all types known to mankind. God forbid, but if one of us were stricken today, we must submit ourselves to the routine of the hospital of asking for a blood transfusion from some donor picked up in the street and all they want to know is the blood type. The day must come, Mr. President, when we must be more cautious. It is certainly unfair to any man or woman, boy or girl, who is living a good clean life and, because he may be stricken and called upon to have a blood transfusion and then find, when he leaves that hospital, that he is no longer fit to be called a decent citizen.

They may say that a Wassermann test is given before a transfusion is performed but I say to you, Mr. President, that upwards of ninety-five per cent of transfusions are given of raw blood from person to person, without taking any test or any precaution as to the type of blood taken from one human and given to another.

I thought by this time this Senate would have brought this bill out. It is non-political and it means so much to each and every one of us but, for some unknown reason, the bill never came to light.

So I make this short speech today, hoping the chairman may reconsider his actions and call a meeting of the Committee on Public Health and Welfare and report this bill out so that it may pass before the last day of this session.

Mr. CARR. Mr. President, as chairman of the Committee on Public Health and Welfare I desire to state that every bill that has been committed to our committee has been considered by the committee, there has been nothing held back at any time; every bill that came into my possession was submitted to the committee on one or more occasions and action taken thereon.

In connection with this particular bill it was the thought of the Department of Health of the Commonwealth of Pennsylvania that it was unworkable and that it could not be carried into effect and that there were other provisions that accomplished most of what was intended by this bill.

I might say further, Mr. President, that I have already requested the majority leader, at some time during this afternoon's session, to call a brief recess in order that we may hold a meeting of the Committee on Public Health and Welfare, particularly for consideration of House Bill 1062, but other bills can be considered and I expect to bring up for consideration several other bills at that time. However, this bill is not one of them and unless by action of the committee they request that it be brought up again, it will not be brought up.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Butler, Mr. Carr.

The PRESIDING OFFICER. Will the gentleman from Butler permit himself to be interrogated?

Mr. CARR. I will, Mr. President.

Mr. HALUSKA. Mr. President, the gentleman from Butler stated that the Department of Health has made

the remark that this bill might be unworkable. Will the gentleman please tell me what he means by unworkable?

Mr. CARR. Yes, Mr. President, I can tell the gentleman one instance in which it might be unworkable. The bill prevents the use of blood transfusions without taking a Wassermann test, which would prevent the use of a transfusion in the event of an accident on the street, where an immediate blood transfusion is necessary and there is no time for a Wassermann test and then, if the patient dies, we are responsible for passing this law.

Mr. HALUSKA. No, Mr. President, because under this bill it is provided that in emergencies they may perform transfusions without having a Wassermann test. I may further point out to the gentleman from Butler that the boys on the battlefield had transfusions with blood plasma and that every hospital and every doctor has blood plasma in his possession and by the use of blood plasma you will definitely assure there is no disease present.

Mr. CARR. Mr. President, I may say to the gentleman from Cambria that I have no personal animus against this bill, none whatsoever. This bill was considered by the committee and it was the consensus of opinion of the committee that it was not essential legislation. What prompted other members of the committee to vote that way I do not know but I know, for myself, I personally have no animus against the bill and would have been glad to see it come out if the committee so thought. Therefore, Mr. President, I do not assume personal responsibility for the bill not being brought out. I only assume responsibility, as chairman of the committee, to freely allow members of that committee to act. That I believe is all that is required and all that could be required of any chairman of a committee.

Mr. HALUSKA. Mr. President, I do not accuse the gentleman from Butler personally. That is one reason I did not ask for the discharge of his committee.

However, Mr. President, since the gentleman from Butler has informed this body that he intends to call a meeting of the Committee on Public Health and Welfare today, I am asking him and his committee to sincerely reconsider Senate Bill 43 and if it be found that the bill is not properly drawn with regard to emergencies, certainly it can be amended. I want to point out once again, Mr. President, that in cases of emergencies they are permitted to perform transfusions without a Wassermann test. I also wish to point out again that every hospital has blood plasma and in any emergency they can give plasma rather than raw blood.

I think this is a mighty important bill, Mr. President, and I say again it means much to humanity. One of us may next be called and certainly none of us would hope to have a transfusion performed and used on one of our loved ones and find out that syphilitic blood has been poured into our stream unknown to us.

Mr. CARR. Mr. President, Senate Bill 43 will be in the possession of the chairman of the committee when the committee next meets and if the committee desires action on it, although previously postponed indefinitely, they can have action on the bill.

REPORTS FROM COMMITTEES

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE from the Committee on Elections, reported as committed, Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in certain newspapers in certain cases.

Mr. WOODRING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOODRING, from the Committee on Local Government, reported as committed, Senate Bill No. 864, entitled:

An Act to repeal the act, approved the eleventh day of April, one thousand eight hundred sixty-eight (P. L. 864), entitled "An act relative to the election of commissioner's clerk in the County of Northampton".

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Law and Order, reported as committed, House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act, approved the twentieth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Appropriations, reported as committed, House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

Mr. LORD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LORD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 858, entitled:

An Act to further amend section twenty-one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of decedent who as a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the limit on the amount to be retained by registers of wills for their own use, for collecting inheritance taxes as agents of the Commonwealth

MOTION TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF SENATE BILL NO. 122

Mr. WOODRING. Mr. President, under the order of resolutions I would like to present a resolution but before doing so I would like to make a very brief statement, and I mean brief. I do not do it by way of spring planting, as was suggested by my good friend, the gentleman from Lehigh, nor do I do it by way of any personal difference with any of the members of the majority side.

On February 10 I introduced Senate Bill 122, which would set up a Department of Civil Service for state employees. This bill, to my knowledge, has not been considered, it certainly has not been reported out, and I think it rates a very special and serious order of business. So long as we continue patronage in Pennsylvania we are going to continue poor government, we are going to continue costly government, our annual budgets are going to increase, so that instead of as in 1947, the biennial budget being almost one billion dollars, we are going to soon exceed that figure and the caliber of our government is not going to improve.

In addition to that, Mr. President and members of the Senate, statewide civil service for state employees would mean that we would get a better quality of employee, we could expect better service and we could certainly expect more faithful service from the men and women working for the state government, in the knowledge that they are secure in their positions.

Advocating this type of change in government is not new; it has been adopted by many of the leading states. As a matter of fact, Pennsylvania is one of the very few industrial states that does not have statewide civil service.

I therefore, Mr. President, present to the Chair the following resolution and ask for its immediate consideration.

RESOLUTION TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF SENATE BILL NO. 122

Mr. WOODRING offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947

Resolved, That the Committee on State Government be discharged from further consideration of Senate Bill No. 122, entitled, "An Act creating a state civil service department to be administered by a director and civil service board empowered to make rules and regulations; providing for the classification of positions, compensation schedules, competitive entrance and promotional examinations, certifications and appointments, probationary service periods and rejection therein, for demotions, promotions, reemployments, suspensions, transfers, sick leave and vacations, for lay-offs when necessary according to seniority, for separation from the service by discharge for cause, for hearings and reinstatements, for establishing status of incumbent employees; prescribing penalties for violations, and repealing acts in conflict herewith." Said Bill having been in the hands of said committee for a period of ten days and more, having been referred on February 10.

RULE 39 SUSPENDED

Mr. WOODRING. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. WOODRING. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. WOODRING and were as follows, viz:

YEAS—16.

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margle,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

NAYS—33.

Becker,	Frazier,	Scarlett,	Walker,
Berger,	Geitz,	Snowden,	Watson,
Blass,	Hare,	Stevenson,	Wilson,
Carr,	Homsher,	Tallman,	Wolfe,
Chapman,	Kephart,	Taylor,	Wood, L. H.,
Crider,	Letzler,	Tyler,	Wood, T. N.,
Crowe,	Lord,	Wade,	Heyburn,
Doehla,	Mahany,	Wagner,	Presiding Officer
Farrell,	Mallery,		

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF SENATE BILL 52.

Mr. TARR. Mr. President, under the order of business of resolutions, for the information of the Senate, on June 1, 1937 there was approved P. L. 1120 known as the Pennsylvania Full Crew law. This law was contested in the Dauphin County Court by the Pennsylvania Railroad Company.

After a prolonged hearing by the Court of Dauphin County, this court declared Sections 2, 4, 5, 6, 7 and 8 unconstitutional, leaving the remaining sections intact.

This decision was appealed to the Supreme Court of Pennsylvania, which court sustained the decision of the Dauphin County Court in so far as Sections 2, 4, 5, 6, 7 and 8 were concerned.

There were several other injunctions asked for by other railroads operating in the state of Pennsylvania and dur-

ing the year 1943 President Judge William M. Hargest of the Dauphin County Courts issued a final consent decree restraining enforcement officers of the state of Pennsylvania from enforcing this act on all other railroads in the state of Pennsylvania except the Pennsylvania Railroad, which decree was agreed to by the then Attorney General of the state of Pennsylvania, James H. Duff.

The Railroad Brotherhoods on June 27, 1946, during the primary campaign, requested the then Attorney General, who was a candidate for Governor, to advise what his attitude would be in reference to the enactment of certain sections of the Act of June 1, 1947 that were not declared unconstitutional.

Under date of July 9, 1946 the then Attorney General advised as follows:

"My examination of the record indicates that Sections 2, 4, 5, 6, 7 and 8 of the Act of June 1, 1937, P. L. 1120 where held unconstitutional in the Pennsylvania Railroad case, and therefore, when the consent decrees were entered only those sections should have been stipulated. In view of the fact that only those sections should have been stipulated, it would definitely seem unfair that a broad decree was entered in all railroads except the Pennsylvania Railroad case.

"My opinion, therefore, would be that the matter ought to be reinstated on the basis merely of eliminating those sections that were declared unconstitutional by the order in 337 Pa. 310."

After which the Railroad Brotherhoods addressed a letter to Governor Edward Martin in reference to the same subject to which the Governor of the state of Pennsylvania replied in part as follows:

"As I understand it, Attorney General Duff is of the opinion that only those sections of the Act of June 1, 1937 P. L. 1120, the so-called 'full Crew law,' which were declared unconstitutional by the Supreme Court in the above case should have been stipulated in the consent decrees to which you refer. The Attorney General also tells me that he thinks the proper remedy is legislative; and I believe that legislation would be the best way to cure the situation and accomplish the most good for all concerned."

After which on April 17, 1947, after the former Attorney General, James H. Duff, had been inaugurated as Governor of our Keystone State, the Railroad Brotherhoods called his attention to his former opinion of July 9, 1946 to which under date of April 21, 1947 the Governor replied as follows:

"I have before me your letter of April 17, relative to Senate Bill No. 52 and House Bill No. 167, which were introduced to correct the situation as outlined in my letter to you under date of July 9, 1946.

"I will have this checked by the Attorney General's office and will certainly recommend that the statement made before by me be adhered to."

The Railroad Brotherhoods, not hearing from Governor James H. Duff, on May 22, 1947 again addressed a letter to the Governor, a portion of which is quoted for your information.

"The undersigned wish to thank you for your reply of April 21, 1947 to our letter of April 17th 1947 in reference to Senate Bill No. 52 and House Bill No. 167.

"Due to the fact that this session of the Pennsylvania

General Assembly is drawing very near to the end, we have been unable to have either one of these bills released from Committee, we would appreciate it very much if you would advise us if you have had this bill checked by the Attorney General's office. If so, have you recommended to the leader of the General Assembly that your former statement be adhered to."

Due to the fact that more than twenty-one days have elapsed since that time I am of the opinion that the leaders of the majority party have ignored the request of our Governor for the re-enactment of these sections that were not declared unconstitutional, so, therefore, I respectfully request that the members of this General Assembly support the attitude of our Governor and vote to discharge this committee.

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF SENATE BILL NO. 52

Mr. TARR offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 9, 1947

Resolved, that the Committee on Labor and Industry be discharged from further consideration of Senate Bill No. 52, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to man locomotives, trains and other self propelled engines or machines with competent employees; to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employees; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission."

Said bill having been in the hands of said committee for a period of ten days and more, having been referred on January 28th.

RULE 39 SUSPENDED

Mr. TARR. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. TARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. Tarr, and were as follows, viz:

YEAS—16.

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—33.

Becker,	Frazier,	Scarlett,	Walker,
Berger,	Geltz,	Snowden,	Watson,
Blass,	Hare,	Stevenson,	Wilson,
Carr,	Homsher,	Tallman,	Wolfe,
Chapman,	Kephart,	Taylor,	Wood, L. H.,
Crider,	Letzler,	Tyler,	Wood, T. N.,
Crowe,	Lord,	Wade,	Heyburn,
Doehla,	Mahany,	Wagner,	Presiding Officer
Farrell,	Mallery,		

So the question was determined in the negative.

SENATE BILL NO. 318 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to attack such sales are instituted within one year after the effective date of this act.

and move that a committee of conference on the part of the Senate be appointed.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL NO. 318

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, MAHANY and WOODRING as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 318.

Ordered, That the Clerk inform the House of Representatives accordingly.

ANNOUNCEMENT OF MEETING OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. CARR. I would like to announce a meeting of the Committee on Public Health and Welfare, immediately upon recess, in Room 535-A.

ANNOUNCEMENT OF MEETING OF COMMITTEE ON BANKING

Mr. BECKER. There will be held a meeting of the Committee on Banking in the Senate Caucus Room tomorrow, June 10, 1947 at 10 a. m.

POINT OF INQUIRY

Mr. FRAZIER. I rise on a point of inquiry.

Does the Chair think the recess will be long enough for me to run down and see the President and come back? I have a request here that I use my influence in having Bill EX 935 vetoed by the President and I am wondering if I could get down there and be back by the time we reconvene.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess until 8:15 o'clock p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 964, as follows:

An Act to further amend section thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as last amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1213) are hereby further amended to read as follows

Section 34 Annual appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard requirements in strength discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For all troops at the rate of ten dollars (\$10) per man per year Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars (\$1,000) per year regardless of the actual strength of the organization and Provided That no company troop battery detachment or similar organization shall receive less than a minimum sum of [three] two hundred dollars per year Such allowances shall be computed by the Adjutant General from the [allotted] actual strength of the unit as of June first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commanders but it shall be the duty of the Adjutant General before paying any of the said allowance to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however That any regiment battalion squadron or company may at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 38 Necessary Expenses of Headquarters The necessary military expenses of division brigade regi-

mental and separate battalion or similar headquarters including clerk hire and other actual outlays shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed [nine thousand dollars (\$9000) for a division headquarters seven thousand dollars (\$7000) for an observation squadron one thousand dollars (\$1000) for each brigade headquarters two thousand dollars (\$2000) for each regimental headquarters and one thousand dollars (\$1000) for each headquarters of special troops These allowances shall be augmented in the amount of ten thousand dollars per year which sum shall be apportioned by the Adjutant General to the various headquarters in proportion to the distance travelled between the respective headquarters and their subordinate units or between the respective regimental brigade and division headquarters for official attendance at military conference]

Five thousand dollars (\$5000) for a State Staff

Ten thousand dollars (\$10,000) for a Division Headquarters

Five thousand dollars (\$5000) for an Anti Aircraft Artillery Brigade

Five thousand dollars (\$5000) for an Air Wing National Guard

Two thousand dollars (\$2000) for a Regimental Headquarters

One thousand dollars (\$1000) for a Headquarters 166th Field Artillery Battalion

One thousand dollars (\$1000) for a Headquarters Field Artillery Brigade

One thousand dollars (\$1000) for a Headquarters of each Separate Battalion

One thousand dollars (\$1000) for Headquarters Corps Field Artillery

One thousand dollars (\$1000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars (\$500) for each Headquarters AA Searchlight Battalion

Two hundred fifty dollars (\$250) for each Headquarters Anti-aircraft Artillery Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars (\$250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Group

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars (\$250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars (\$250) for Headquarters Fighter Group

The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final

Section 2 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 964 RECALLED FROM THE GOVERNOR

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 964, recalled from the Governor.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 234, as follows:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefit and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and

be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates or contributions paid by the members of the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes that would impair the valuation of certificates herein provided Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment of the reserves of funds of life insurance companies and in securities of Federal Savings and Loan Associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioner shall first be obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 234

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 234.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 393, as follows:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any corporation or any two corporations now formed or organized under the provisions of the ninth paragraph section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" namely "The maintenance of a society for beneficial or protective purposes to its members from funds collected herein" except fraternal benevolent charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system and insurance or relief associations formed by or for the exclusive benefit of employees of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association may be reincorporated or merged and reincorporated as the case may be as a life insurance company of the class known as limited life insurance companies for the purpose of making insurance either upon the stock or mutual principle upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes including endowment insurance in such amounts and upon such conditions as is now or hereafter may be provided by law in the case of limited life insurance companies provided however that any such corporation or any two such corporations may not reincorporate or merge and reincorporate as a limited life insurance company under this act unless such corporation or corporations are operating in compliance with the requirements of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1643) entitled "An act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law"

Section 2 Any such corporation or any two such corporations desiring to reincorporate or to merge and reincorporate as the case may be under the provisions of this act shall proceed in the following manner A meeting of the members of such corporation or of each such corporation shall be held and if a majority of the members of such corporation or corporations shall vote or authorize a vote in favor of the reincorporation or merger and reincorporation a resolution or resolutions to that effect shall be adopted and upon the recording of such resolution or resolutions in the office for the recording of deeds in the county where such corporation or each such corporation has its principal office the directors of such corporation or the respective directors of such two corporations acting jointly as the case may be may make articles of association as provided by law for the incorporation of insurance companies upon which articles shall be had and the same proceedings as provided by law for the incorporation of new insurance companies and upon the approval of said articles such corporation or corporations shall become a corporation under this act and all the estate and property real and personal rights of action liabilities and obligations of such former corporation or corporations shall be deemed and taken to be transferred to and vested in or attached to the corporation formed under this act without further act or deed Any corporation formed under this act shall be authorized to transact the business of insurance in the same manner and upon

the same conditions as insurance companies are by law authorized to do in so far as not inconsistent with the provisions of law relating to limited life insurance companies

Section 3 Any corporation formed under the provisions of this act shall place reserves on the life portion contained in all policies issued based upon a standard table of mortality with interest at a rate of not more than three and one-half per cent (3½%) as approved by the Insurance Department of the Commonwealth and reserves shall be carried on the disability feature of fifty per centum of the actual weekly monthly or annual premiums in force and reserves shall be charged on all definite and outstanding incurred claims

Section 4 Capital stock of a stock company formed under this act shall not be less than twenty-five thousand dollars and shall be divided into shares of not less than ten dollars each payment of which shall be made in lawful money ten per centum on each share at the time of subscribing and the balance at such times as the company may direct not exceeding one year from the time of subscription and the company may provide such rules with regard to forfeiture of partial payments on subscriptions as they may deem advisable which rules shall be binding upon the subscribers provided they are made known at the time of subscription Every such company shall in addition thereto have a surplus paid in at least equal to the amount of the capital stock

Section 5 The annual meeting for election of directors of any company formed under this act shall be held at such time on or before the first day of May as the by-laws of the company may direct and such notice of the time and place of meeting shall be given to the stockholders or members as may be provided in the by-laws and at such annual meeting the stockholders or members shall elect by ballot not less than five nor more than thirteen directors to serve for one year and until their successors are duly chosen Provided That at any annual meeting of the stockholders or members it may and shall be lawful to divide the directors which are to be chosen into two three or four classes and to elect the first class to serve for the term of one year and the second third and fourth to serve two three and four years respectively and at all ensuing elections of said company the stockholders or members shall only elect the number of directors necessary to take the place of those whose terms of office shall then expire and such directors shall be elected as hereinbefore provided And in case a vacancy or vacancies shall happen in the number of said directors the board of directors shall choose and elect a proper person or proper persons to fill such vacancy or vacancies during the remainder of the term or terms for which the person or persons in whose place or places such vacancy or vacancies shall have happened shall have been elected

Section 6 Any mutual company formed under this act shall be authorized to do the business of insurance when it shall have received from not less than two thousand persons applications for insurance against death amounting to not less than two hundred fifty thousand dollars upon which applications one-twelfth of the annual premium shall have been paid Provided That no such company shall be authorized to do the business of insurance until it shall have a guarantee capital of at least twenty-five thousand dollars and a surplus of at least twenty-five thousand dollars and until it shall have deposited with the Insurance Commissioner the sum of twenty-five thousand dollars in cash or approved securities which sum the Insurance Commissioner is hereby authorized and empowered to receive and it shall be his duty to hold the same for the benefit of the members of such corporation and its creditors preference being given thereto in the following order to wit first claims under policies second salaries of employees third general creditors

Section 7 This act shall become effective immediately upon final enactment and shall expire the thirty-first day of December one thousand nine hundred fifty Provided however that the expiration of this act shall not affect the

corporate existence of any corporation formed under its provisions

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 393

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 393.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 394, as follows:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof and changing certain capital and surplus requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal

and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) and as further amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 585) is hereby further amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act [Stock companies] every company incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. three hundred twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. three hundred seventeen) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. six hundred eighty-six) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may issue policies" or under any subsequent act authorizing certain existing incorporated beneficial or protective societies to reincorporate or to merge and reincorporate as limited life insurance companies having in the case of a stock company a [paid up] capital of not less than three hundred thousand dollars (\$300,000) and a [paid up] surplus at least equal to fifty per centum of the [subscribed] capital or having in the case of a mutual company insurance in force in an aggregate amount of not less than one million dollars (\$1,000,000) on not less than four hundred persons and a surplus of not less than two hundred thousand dollars (\$200,000) may notwithstanding any limitation to the contrary established by any act of assembly or by the provisions of its charter issue policies insuring the lives of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 This act shall become effective immediately upon final enactment

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 394

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 394.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Waue,
Berger,	Eare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 758, on final passage entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employee" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances and defining year of service

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen and clause (A) of section six hundred twenty-one point one of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 983

Mr. WADE. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 983, passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the majority.

Mr. WALKER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by inserting after the word "fifteen" the following: "and clause (a) of section six hundred twenty-one point one;" Amend Sec. 2 (Sec. 621.1), page 4, line 16, by inserting a bracket before and after the word "School" where it appears the second time; and inserting immediately thereafter: "one or more schools;" Amend Sec. 2 (Sec. 621.1), page 4, line 17, by inserting a bracket before and after the word "Institution" and inserting immediately thereafter: "institutions;" Amend Sec. 2 (Sec. 621.1), page 4, line 17, by inserting after the word "head" the following: "or heads;" Amend Sec. 2 (Sec. 621.1), page 4, line 18, by inserting after the word "principal" the following: "or principals."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, House Bill 1214 has been amended and reamended but I believe it needs one more amendment and for the purpose of offering that amendment I now move that the vote by which House Bill 1214 passed third reading be reconsidered.

RECONSIDERATION OF HOUSE BILL No. 1214

Mr. WOODRING. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1214 passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted with the majority.

Mr. TALLMAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (title), page 3, line 10, by placing a bracket before and after the words "one-half of"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 3, as follows:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five million dollars (\$5,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown Pennsylvania and to thus assure and expedite the Federal and State cooperative program for the restoration of the Schuylkill River

Section 2 The funds herein appropriated shall be paid by the state treasurer from moneys in the public buildings construction fund created or about to be created

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Holland,	Rosenfeld,	Walker,
Chapman,	Homsher,	Ruth,	Watson,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Kephart,	Snowden,	Wolfe,
Dent,	Klein,	Stevenson,	Wood, L. H.,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,	Tarr,	Heyburn,
			Presiding Officer

NAYS—1

Rahauser.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 9, as follows:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" is hereby amended to read as follows

Section 1. Be it enacted etc That from and after the passage of this act the fees to be received and charged by coroners in counties of the second class in lieu of those now allowed by law shall be as follows viz

Viewing a dead body [ten dollars] twelve dollars (\$12.00)

Summoning inquest and returning inquisition [four dollars] six dollars (\$6.00)

Summoning or subpoenaing each witness one dollar and fifty cents (\$1.50)

Qualifying each witness [fifty cents] one dollar (\$1.00)

Each mile circular traveled to be reckoned from the court house to the place of viewing the body ten cents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,

Doehla,
Farrell,
Frazier,

Letzler,
Lord,
Mahany.

Tarr,
Taylor,

Heyburn,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 12, on third reading, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class

go over in its order.

The PRESIDING OFFICER. Is ther objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is ther objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 2, page 2, line 15, by inserting after the partword "religious" the following: "or eleemosynary"; Amend sec. 2, page 2, line 16, by inserting after the word "thereof" the following: "or schools accredited by accrediting associations approved by the State Council of Education"; Amend sec. 3, page 3, line 1, by striking out the words "and its duty shall be"; Amend sec. 3, page 3, line 3, by striking out the words "courses and"; Amend sec. 3, page 3, lines 4 to 8, by striking out the words "and it shall determine and cause to be pub-" in line 4, all of lines 5, 6 and 7, and the part-word "ment" in line 8; Amend sec. 6, page 4, lines 13 and 14, by striking out the words "that the applicant is on its accredited list and"; Amend sec. 11, page 6, lines 16, 17 and 18, by striking out the words "and shall" in line 16, and all of lines 17 and 18 inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 41, on third reading, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 92, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "cases" the following: "and repealing inconsistent laws"; Amend sec. 1 (Sec. 1), page 4, line 4, by inserting after the word "dollars" the following: "and fifty cents"; Amend sec. 1 (Sec. 1), page 5, line 12, by striking out the words "twenty-five" and inserting in lieu thereof "forty"; Amend sec. 1 (Sec. 1), page 5, line 14, by striking out the word "fifty" and inserting in lieu thereof "forty".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 93, on third reading, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 149, as follows:

An Act authorizing the Department of Highways to erect and construct a bridge over the Susquehanna River at Retreat State Hospital Retreat Luzerne County to provide the necessary approaches thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized to erect and construct a bridge over the Susquehanna River at Retreat State Hospital in Retreat Luzerne County and to acquire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto the Department of Highways shall have all the powers and authority conferred with respect to the relocation widening or construction of State highways Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge and the approaches thereto shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways Such damages when ascertained shall be paid by the Commonwealth or the county as may be agreed upon in accordance with the laws relating to State highways

Section 2 So much of the money in the motor License Fund as may be necessary from time to time to carry out the provisions of this act but not to exceed seven hundred fifty thousand dollars (\$750,000) is hereby appropriated to the Department of Highways

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,

DiSilvestro,
Doehla,
Farrell,
Frazier,

Leader,
Letzler,
Lord,
Mahany,

Tallman,
Tarr,
Taylor,

Woodring,
Heyburn,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 155, on third reading, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first classe" increasing such salary

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 173, on third reading, entitled:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 193, as follows:

An Act relating to judgments providing for the lien thereof and the duration and revival of such liens prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property and imposing duties on prothonotaries, sheriffs and other court and county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Judgment Lien Law"

Section 2 Every judgment now or hereafter entered of record and indexed in any court of record in this Commonwealth shall be a lien upon all real property within the county where the judgment is entered which at the time of the entry and indexing of the judgment is owned by the person against whom the judgment is entered and shall unless sooner discharged as provided by law continue as a lien as to the defendant and all other persons for a period of five years from the date on which the judgment was entered and no longer unless the same is revived as hereinafter provided

Section 3 (a) The lien of a judgment may be revived by the indexing of (1) a judgment of revival by agreement between the plaintiff and defendant or of (2) a writ of scire facias if such judgment by agreement is entered

of record in or such writ is issued out of the court in which the original judgment was entered within five years after the date on which the original judgment or the last preceding judgment of revival as the case may be was indexed. Provided That if any interest in any part of the real property bound by the lien of the judgment has been acquired by a terre-tenant then the lien of such judgment shall be revived as to such part of the real property only if the terre-tenant within the five-year period hereinbefore designated joins in the agreement or is made a party to the scire facias proceedings as the case may be. Provided further That if revival shall have been had against the defendant at a time when a terre-tenant's deed is of record but without the joinder of the terre-tenant then within a period of five years after the recording of the terre-tenant's deed or other evidence of title the lien may be revived as to the terre-tenant by (1) agreement between the plaintiff and the terre-tenant alone or between the plaintiff defendant and terre-tenant or (2) by writ of scire facias issued against the terre-tenant without joining the defendant or against the defendant and terre-tenant jointly entered in or issued out of and indexed in the court in which the judgment was entered within such period of five years after the recording of the terre-tenant's deed or other evidence of title and in such event the lien shall continue as to the terre-tenant for the same period only as it continues against the defendant when it must be revived against both parties as hereinbefore provided. This proviso shall not be so construed as to revive any lien as to any part of the property acquired by a terre-tenant by the mere recording of a terre-tenant's deed or other evidence of title without specific revival by agreement or scire facias as above provided.

(b) In the case of two or more joint defendants no revival shall be effective against any of such defendants or their real property whether or not owned jointly with the other joint defendants or any of them unless all such joint defendants shall join in the agreement or shall be made parties to the scire facias proceedings. Provided That if any number less than all of the joint defendants shall agree to be bound the revival shall be effective against all of the defendants so agreeing.

(c) The revived lien of any judgment shall unless sooner discharged as provided by law continue for a period of five years from the date on which the judgment of revival whether entered by agreement or on writ of scire facias was indexed provided such judgment of revival if entered on a writ of scire facias was indexed within a period of five years after the issuance of such writ otherwise such lien shall continue only for a period of five years from the date on which the writ of scire facias to revive was indexed and in either case no longer unless the same is again revived as provided in this act. In any case where by reason of pending litigation judgment cannot be entered on the writ of scire facias within a period of five years after the indexing of such writ the court before which such litigation is pending may enter an order continuing the lien of such writ for such further period not exceeding five years as the court may direct such order shall become effective when indexed.

(d) As used in this act the term "terre-tenant" shall not include any person claiming under or whose claim of title passes through a deed which is not recorded in the county where the real property is located or any person claiming under or through a deceased defendant or terre-tenant whose will has not been filed with or letters of administration on whose estate have not been issued by the register of wills or orphans' court of such county. Provided That any person claiming under or through a deceased defendant or terre-tenant who was not a resident of the county at the time of his death may qualify as a terre-tenant under the provisions of this act by recording in the office of the recorder of deeds of the county where the real property is located a certified copy of the will of such decedent if he died testate or if he died intestate a declaration of interest

accompanied by a certificate of the register of wills or probate court or officer of the county state or country in which the decedent resided at the time of his death that letters of administration have been issued in the estate of such decedent.

Section 4 A writ of scire facias issued to revive a judgment at any time either before or after the expiration of five years after the indexing thereof or before or after five years after the indexing of the last preceding judgment of revival thereof shall when indexed in the judgment index be a lien upon all real property within the county which at the time of the indexing thereof is owned by the defendant against whom the original judgment is entered whether or not such real property was owned by him at the time the judgment was indexed or previously revived. All liens against after-acquired property or against property as to which the lien of the original judgment has been lost shall be effective as of the date when the writ of scire facias was indexed and shall unless sooner discharged as provided by law continue as a lien for a period of five years from the date of the indexing of the judgment of revival thereon and no longer unless the same is revived as provided in this act.

Section 5 Whenever any real property of any person serving in the armed forces of the United States in time of war is subject to the lien of any judgment the plaintiff may at any time before the expiration of such lien issue a writ of scire facias to revive the same. No judgment of revival shall be entered during the continuance of such service but successive alias writs of scire facias may be issued and if properly indexed shall be effective to continue the lien of the judgment. After the service of the defendant or the terre-tenant as the case may be in the armed forces of the United States has terminated or after the expiration of six months after the date proclaimed by the President of the United States or by concurrent resolution of the two houses of Congress as the date of the termination of the war whichever shall first occur judgment of revival may be entered but only after ten days' written notice served on the defendant or terre-tenant as the case may be who shall have the right to enter an appearance and defend as in other cases. If the defendant or terre-tenant as the case may be shall not return to and acquire a residence in the county in which judgment is entered within three months after the termination of his service in the armed forces of the United States or within nine months after the date proclaimed by the President of the United States or by concurrent resolution of the two houses of Congress as the date of the termination of the war whichever shall first occur the plaintiff may issue an alias writ of scire facias and on return of nihil habet thereon the court may enter judgment which shall become effective when indexed.

Section 6 All writs of scire facias provided for by this act shall be served in the manner provided by law for the service of a summons on all persons named in the writ and shall be indexed. If the writ is directed against the defendant and he is dead service shall be made on his heirs executors or administrators. If the sheriff cannot find any one or more of said persons within the county he shall make return of nihil habet as to all those not so found. On return being made by the sheriff showing service on all such persons found in the county and a return of nihil habet as to all those not so found the prothonotary shall at any time after the end of the period during which the writ runs upon praecipe enter and index judgment of revival of any such judgment during another period of five years against the real estate bound by the judgment unless sufficient cause is shown to prevent the same.

Section 7 (a) The holder of any judgment may within five years after the entry thereof or after the entry of any judgment of revival thereon have execution in the manner provided by law on such original judgment or on such judgment of revival as the case may be against any real property bound by the lien of the judgment whether or not any interest therein has been acquired by a terre-tenant and against any real property acquired by the

defendant subsequent to the entry of the original judgment or of the judgment of revival as the case may be and owned by him at the time of the indexing of the execution. In the case of after-acquired property the execution when docketed and indexed shall become a lien upon such real property. In the case of real property which is then subject to the lien of the judgment the execution when docketed and indexed shall continue such lien beyond the time it would otherwise have expired. Any lien obtained or continued solely as the result of the docketing and indexing of an execution shall continue only for a period of five years from the indexing of the execution.

(b) In all cases where more than five years have expired since the entry of the judgment or the entry of the last preceding judgment of revival as the case may be no execution upon any real property may issue until a writ of scire facias shall have issued and been reduced to judgment and the execution shall issue on the judgment so entered and not on the original judgment.

Section 8 Nothing contained in this act shall be construed to affect or limit the provisions of section fifteen of the "Fiduciaries Act of one thousand nine hundred seventeen" approved the seventh day of June (P. L. 447).

The provisions of this act shall not affect the lien of any judgment entered prior to the effective date of this act. The lien of all such judgments that are valid and subsisting liens on such date shall continue as such for the same periods as they would have continued had this act not been enacted but no longer unless prior to the expiration of such periods such liens are revived in the manner provided by this act.

Section 9 The following acts are hereby repealed.

The act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 484) entitled "An act relating to the lien of judgments against persons in military service."

The act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 506) entitled "An act providing that in certain cases where a scire facias is issued on a judgment to revive or extend the lien thereof such lien shall take effect from the date of issuance of the writ."

The act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 774) entitled "An act regulating the lien of judgments prescribing the procedure for the revival of judgments and for the continuance of the lien thereof and repealing certain acts and parts of acts."

All other acts and parts of acts inconsistent with parts of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 207, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has not within said period of five (5) years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment on any such claim by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five (5) years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five (5) years after the date on which such judgment was entered or within five (5) years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within six (6) months after the effective date of this act file such tax or municipal claim or amend such claim so as to properly describe the property against which the claim is assessed or issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a writ of scire facias has been issued but the same has not been reduced to judgment within five (5) years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such

judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five (5) year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 285, on third reading entitled:

An Act establishing the salary of the prothonary in counties of the first class

be recommitted to the Committee on Local Government.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 309, as follows:

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License Fund for the construction of said bridge

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" as amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 626) is hereby further amended to read as follows

Section 7 The sum of [two] three million dollars or so much as is necessary for the preparation of plans for the construction of said bridge and approaches thereto and connections with State highways and for the payment of damages for property taken or destroyed and for the construction of said bridge and approaches thereto is hereby appropriated out of moneys in the Motor License Fund to the Department of Highways for said purposes

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundry lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN, Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 2, page 8, line 18, by striking out the word "trout" and inserting in lieu thereof the word "fishing."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 378, as follows:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such

revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred nineteen (P. L. 300) is hereby further amended to read as follows

Section 1121 The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State from appropriations made for this purpose or from the appropriations for the public schools [and shall be fifteen dollars (\$15.00) for each of the first one hundred schools within his jurisdiction at the time of his election and ten dollars (\$10.00) for each such additional school Provided That the salary of a county superintendent shall not be less than two thousand dollars (\$2000) per annum nor more than twenty-five hundred dollars (\$2500) per annum] but a convention of school directors assembled for the purpose of electing a county superintendent or for the purpose of determining his salary the salary of any assistant superintendent supervisor of special education county supervisor of agriculture or county supervisor of home making may vote [him] any of said employes a salary greater than the amount [he] such person would receive by this act such increase to the county superintendent to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision before the same is distributed The salaries of county superintendents shall be paid monthly

In addition to the said salary each county superintendent shall be entitled to receive annually a sum not to exceed five hundred dollars for the payment of the actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law Payments shall be made monthly on account of such expenses to any such county superintendent by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner

Section 2 Section one thousand one hundred thirty of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1130 The minimum salary of each assistant county superintendent [or] supervisor of special education county supervisor of agriculture and county supervisor of home-making as hereinafter in this act provided shall be paid out of the State appropriation for public schools in such payments and manner as the county superintendents are paid Any additional salary granted by the school directors of any county [at their convention for electing a county superintendent] to any assistant county superintendent [or] supervisor of special education county supervisor of agriculture or county supervisor of home-making shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed The salaries of assistant county superintendents [and of] supervisors of special education county supervisors of agriculture and county supervisors of home-making shall be paid monthly

In addition to the said salary each assistant county superintendent and each supervisor of special education shall be entitled to receive annually a sum not to exceed five hundred dollars for the payment of actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law Payments shall be made monthly on account of such expenses to any such assistant county superintendent or supervisor of special education by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 432, as follows:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article X of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators hereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the

subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding thereto after section one thousand thirty-three a new section to read as follows

Section 1034 Regulation of Traffic on Pennsylvania Turnpike

(a) The rules and regulations promulgated by the Pennsylvania Turnpike Commission governing the traffic upon any turnpike or highway under its supervision and control shall become effective upon the publication thereof in accordance with law A copy of all such rules and regulations which shall become effective shall be posted and remain posted in a conspicuous place so long as they are effective at all entrances to such turnpike or highway for the inspection of persons using such turnpike or highway

(b) Any person or persons violating any of the rules and regulations of said commission for which no penalty has been provided in the Vehicle Code or other laws relating to vehicles shall upon summary conviction before a magistrate or justice of the peace be sentenced to pay a fine of not less than ten dollars (\$10) nor more than twenty-five dollars (\$25) and costs of prosecution and in default of the payment thereof shall undergo imprisonment of not more than (10) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wagner,
Berger,	Hare,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 454, on third reading, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred

nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning games and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 553 on third reading, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within the Commonwealth" increasing the compensation of county auditors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 607, on third reading, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgages lien holders and other encumbrance holders

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 643, as follows:

An Act to amend sections four hundred two four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated furbearers and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 402 Application for Permits Any person firm association or corporation desiring a permit as provided for in this article shall present an application therefor on

forms supplied by the commission and shall pay to the director five dollars except in the following cases Taxidermists desiring to practice taxidermy for profit shall pay twenty-five dollars fur dealers who have resided permanently in this Commonwealth for the preceding twelve months or more purchasing or receiving raw furs for commercial purposes shall pay ten dollars nonresident fur dealers purchasing or receiving raw furs for commercial purposes in the Commonwealth shall pay [fifty] one hundred dollars persons desiring to operate regulated shooting grounds shall pay twenty-five dollars for the first one hundred acres in the tract so used and five dollars for each additional one hundred acres or fraction thereof and breeders and dealers in ferrets or fitches shall pay twenty-five dollars

The application shall be accompanied by the written statement of at least two well-known citizens of the community in which the applicant resides certifying to his good character and to his fitness to be entrusted with the authority granted by such special permits

In the case of applications for permits by firms associations or corporations the application shall bear the name of the president of general manager and the permit shall be issued in his name All applications for propagating permits and regulated shooting grounds permits shall be accompanied by a written description and a map or sketch of the premises to be used for such purposes with the location thereof

Section 2 Section four hundred nine of said act is hereby amended to read as follows

Section 409 Disposing and Removing Game from Propagating Premises Where game of any kind is raised or eggs of game birds are produced on premises under authority of a propagating permit such game or eggs may be sold or given away and such game may be shipped alive from said enclosure for propagating purposes or may be killed in any manner within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations but no small game may be killed by shooting within such enclosure except in accordance with the provisions of this act or regulations adopted by the commission governing the taking of such game in a wild state

Before any live game of any kind raised under authority of any propagating permit is shipped out of the Commonwealth it must be offered to the commission for propagating purposes and the director shall within ten days advise the permittee whether it desires to purchase the same If not purchased by the commission it may be shipped to any other state or nation if properly tagged as hereinafter provided Game so raised when dead may be shipped anywhere if tagged properly

Before any game propagated or eggs produced under authority of any propagating permit are shipped or removed from any premises the permittee shall apply to the commission for a tag printed in triplicate and numbered serially which shall be supplied at cost Said tag shall be [composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed] prepared in triplicate and shall supply the information required thereon The original of the tag shall be attached to the container or the bird or animal

[The other part of the tag containing the information required shall immediately be returned to the commission by the permittee]

One copy of the tag shall be returned to the Commission by the permittee within five (5) days following the transaction the other copy thereof shall be retained by the permittee for a period of two (2) years

The tag attached to a container or a bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird or animal is cut up for retail purposes or final consumption at which time the tag shall be removed by the person receiving the eggs or finally disposing of the bird or animal [and shall at once be forwarded to the commission.]

It is unlawful for any permittee or his agent or employe to neglect to return to the commission any tag with the information thereon required or to fail or neglect to retain the copy required of him or to kill sell give away remove or ship any game bred or so raised or eggs of game birds produced under the authority of any propagating permit except in compliance with the provisions of this section

[It is unlawful for any person to neglect to remove and return to the commission any tag attached to any container or to any bird or animal except in compliance with this section]

It is unlawful for any person wilfully or wantonly to remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a permit or for the purpose of a second shipment of game or eggs from any such premises

Section 3 Section four hundred fifteen of said act is hereby amended to read as follows

Section 415 Disposing and Removing Fur-Bearing Animals from Fur Farm Where fur-bearing animals of any kind are raised in pens or approved fenced enclosures under the authority of a fur-propagating permit they may be sold or given away and shipped alive or may be killed and pelted within said enclosure without regard to sex or numbers at any time of the year under the following regulations

Before any fur-bearing animals may be removed from the enclosure the permittee must secure from the commission a tag printed in triplicate numbered serially and containing pertinent information in reference to the transaction which shall be supplied at cost. Said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of animals either alive or dead or pelts prepared in triplicate and the original thereof shall be attached to the container of the animals or pelts [The other part of the tag containing the information required shall be immediately] One copy of the tag shall be returned to the commission by the permittee within five (5) days following the transaction the other copy thereof shall be retained by the permittee for a period of two (2) years. The tag attached to the container of the animals or pelts shall remain attached until the animals or pelts are delivered to the consignee [when said tag shall at once be returned to the commission]

It is unlawful for any permittee or his agent or employe to neglect to return to the Commission any tag with the information thereon required or to fail or neglect to retain the copy required of him or to ship or dispose of any fur-bearing animal or the pelt thereof from a licensed fur farm except in compliance with the provisions of this section

Section 4 Section four hundred nineteen of said act is hereby amended to read as follows

Section 419 Penalties Any person violating any of the provisions of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or nests contrary to the provisions of this article by agents of museums or persons of scientific attainment in ornithology or mammalogy acting under the authority of any permit twenty-five dollars

(b) For the practice of taxidermy for profit without a permit as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the mounting sale or shipment or removal from or permitting the removal from the Commonwealth by the

holder of any taxidermy permit of each specimen of a bird or animal protected by this act contrary to the provisions of this act twenty-five dollars

(d) For a resident of the Commonwealth purchasing or receiving or reselling raw furs for commercial purposes without a permit as provided in this article [twenty-five] one hundred dollars

(e) For a nonresident of the Commonwealth purchasing or receiving or reselling raw furs for commercial purposes without a permit as provided in this article [one] two hundred dollars

(f) For the breeding or propagating of game or fur-bearing animals in captivity without a propagating permit contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or propagated

(g) [For neglecting to return to the commission the part of the tag not attached to the container or bird or animal with the information thereon required or for] For the killing or selling or giving away or removing or shipping of game or fur-bearing animals or the pelts thereof bred or propagated or eggs produced by the holder of any propagating permit or his agent or employe contrary to the provisions of this article twenty-five dollars

(h) For neglecting [to remove and] or failing to return the duplicate copy of such tag to the commission or for neglecting or failing to retain the copy of the tag as provided in this article [the tag attached to any container or to any bird or animal] ten dollars [;] for each such neglect or failure

(i) For wilfully or wantonly removing or mutilating or counterfeiting or altering or destroying a tag attached to a container or bird or animal contrary to the provisions of this article twenty-five dollars

(j) For wilfully using any tag for the carrying or removing or shipping of game or fur-bearing animals or the eggs of game birds taken or killed outside of premises for propagating game or fur-bearing animals under authority of permit or for the purpose of a second shipment of game or fur-bearing animals from any such premises contrary to the provisions of this article twenty-five dollars

(k) For taking any game birds on premises covered by a regulated shooting grounds permit in excess of the numbers fixed by the provisions of this article or for taking or capturing such birds by any method other than by shooting or for consuming on the premises or removing therefrom any propagated or released pheasants chukar partridges or mallard or black ducks killed in accordance with the provisions of this article with reference to regulated shooting grounds which have not been tagged as herein required or for attempting to operate such regulated shooting grounds contrary to any other provisions of this article fifty dollars

(l) For the breeding or selling or offering for sale or having in possession or delivering any ferret or fitch contrary to the provisions of this article twenty-five dollars for each ferret or fitch

(m) For maintaining a roadside menagerie for the purpose of exhibition or attracting trade contrary to the provisions of this article or for failure to comply with the regulations of the commission relative to the housing and care of such animals twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and cost of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 666, as follows:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the the Board with the approval of the commission or by the commission with the approval of the Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New

Jersey the Delaware Tunnel Board hereinafter created is hereby authorized and empowered to construct operate and maintain a tunnel or tunnels under the Delaware River which shall connect the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey but no tunnel shall be constructed within a distance of ten miles measured along the boundary line between the Commonwealth of Pennsylvania and State of New Jersey measured from the Delaware River Bridge connecting the City of Philadelphia and the City of Camden or at any location in violation of any compact between the State of New Jersey and the Commonwealth of Pennsylvania

Section 2 Tunnel revenue bonds issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds The issuance of tunnel revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 3 The following words and terms shall have the following meanings

(a) The word "Board" shall mean the Delaware Tunnel Board hereinafter created or if said board shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom powers given by this act to said Board shall be given by law

(b) The word "Commission" shall mean any board commission or authority which by virtue of powers granted to it by the State of New Jersey shall have the right to construct operate or maintain independently or jointly with the Board hereby created a tunnel or tunnels under the Delaware River connecting the Commonwealth of Pennsylvania with the State of New Jersey and shall include any county of the State of New Jersey any board bureau commission authority or any other instrumentality or agency created by any county of the State of New Jersey or in the event the agency created by the State of New Jersey for this purpose shall be abolished any agency succeeding to the principal functions thereof and upon whom powers are given by the laws of the State of New Jersey

(c) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(d) The word "Tunnel" shall mean the tunnel or tunnels to be constructed operated and maintained under the Delaware River which shall connect the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any other county contiguous to these counties with the State of New Jersey and shall also include all property rights easements and franchises relating hereto and deemed necessary or convenient for the construction or operation thereof

(e) The term "cost of the tunnel" shall embrace the cost of constructing the tunnel the cost of all lands properties rights easements and franchises acquired which are deemed necessary for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues engineering services in connection with the said tunnel other expenses necessary or incident to determine the feasibility or practicability of the enterprise administrative expense and such other expenses as may be necessary or incident to the

financing herein authorized the construction of the tunnel its approaches or roads leading thereto and therein the placing of the same in operation and the condemnation of property necessary for such construction and operation

Section 4 There is hereby created a Board to be known as the "Delaware Tunnel Board" The Board shall consist of five members The five members shall be appointed by the Governor by and with the advice and consent of two-thirds of the members of the Senate and shall be residents of the Commonwealth of Pennsylvania at the time of their appointment and qualification and shall also at such time have been qualified electors therein for a period of at least one year next preceding their appointment The appointed members of the Board shall continue in office for terms of one two three four and five years respectively from the dates of their appointment and shall serve until their respective successors shall be duly appointed and qualified the term of each appointed member to be designated by the Governor at the time of his the member's appointment but their successors shall each be appointed for a term of five years except that any person appointed to fill a vacancy shall serve only for the unexpired term and any member of the Board shall be eligible for reappointment Immediately after such appointments the members of the Board shall enter upon their duties the members from Pennsylvania and the members from New Jersey shall for the purpose of doing business constitute a joint board but no action of the joint board shall be binding unless a majority of the members of the board from Pennsylvania and a majority of the members of the commission from New Jersey shall vote in favor thereof Each appointed member of the Board before entering upon his duties shall take the oath prescribed by Article VIII of the Constitution of the Commonwealth The Board shall elect one of the appointed members as Chairman of the Board and shall also elect a secretary and a treasurer who may not be a member of the Board three members of the Board shall constitute a quorum who for all purposes must act unanimously No vacancy in the Board shall impair the right of quorum of the Board to exercise all the rights and perform all the duties of the Board Before the issuance of any tunnel revenue bonds under the provisions of this act each appointed member of the Board shall execute a bond in the penalty of \$25,000 and the secretary and the treasurer shall execute a bond in the penalty of \$50,000 each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of the respective offices which bonds shall be filed in the office of the Secretary of the Commonwealth The Board shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interest in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may be necessary in its judgment and fix their compensation Each appointed member of the Board shall receive an annual salary of \$5000 payable in monthly installments and each member of the Board shall be reimbursed for necessary expenses incurred in the performance of his duties All such compensation and salaries and all expenses incurred in carrying out the provisions of this act shall be paid solely from the funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefore out of funds provided under the authority of this act

Section 5 The Board is hereby authorized and em-

powered to acquire by purchase whenever it shall deem such purchase expedient rights of way franchises easements and other interests in lands as it may deem necessary for the construction and operation of the tunnel upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Board and the owner thereof and to take title thereto in the name of the Board

Whenever a reasonable price cannot be agreed upon or whenever the owner is legally incapacitated or is absent or is unable to convey valid title or is unknown the Board is hereby authorized and empowered to acquire by condemnation any lands rights easements franchises and other property deemed necessary or convenient for the construction or the efficient operation of the tunnel in the manner hereinafter provided In such event application shall be made by the Board acting through the Department of Justice or by any owner or owners to the court of common pleas of the county in which the property is located for the appointment of viewers Whereupon said court or any law judge thereof shall appoint from the board of viewers or in counties of the first class from the board of revision of taxes three persons to view such property and estimate the value thereof The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed at such meeting and any necessary subsequent meetings to ascertain as accurately as may be the value of such lands rights easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands rights easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the chairman of the Board to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the Board acting through the Department of Justice or any person interested may file exceptions thereto or take an appeal therefrom to the court of common pleas of such county Whereupon the court on such exceptions or appeal may confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after final action on the report by the court the Board acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Title to any property condemned by

the Board shall be taken in the name of the Board The Board shall be under no obligation to accept and to pay for any property condemned or any costs incidental to any condemnation proceedings and shall in no event pay for the same except from the funds provided by this act and in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the Board and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Board to accept and pay for the property but such undertaking or security shall impose no liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

In addition to the foregoing powers the Board and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the Board upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the Board including real property already devoted to public use

Whenever the Board decides to acquire lands rights easements and franchises or interests therein by condemnation as hereinbefore provided and has tendered a bond or other security in sufficient sum to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court in which such condemnation proceeding is instituted the Board shall have the right to immediate possession of the property which is the subject matter of the condemnation proceedings and may enter thereon in the name of the Board If the owner lessee or occupier of any of said premises shall refuse to remove his personal property therefrom or give up possession thereof the Board may proceed to obtain possession in the manner now provided by law for obtaining possession by the Secretary of Highways of occupied structures

Section 6 The Board hereby created may contract with Commission to provide for the construction operation and maintenance by the said Board or jointly by the said Board and said Commission or by such Commission with the approval of the said Board to the extent provided by such contract of a tunnel which is partly within the Commonwealth of Pennsylvania and partly within the State of New Jersey if such Commission shall be authorized and empowered under the laws of the State creating such Commission to provide for the construction operation and maintenance of such tunnel Such contract may also provide for the financing of such tunnel by the issuance of revenue bonds by the said Board or by said Commission or jointly by the Board and Commission such bonds to be payable solely from the revenues of such tunnel and pledging of the revenues of such tunnel as security for such bonds and for the execution of a trust indenture in accordance with the provisions of the laws of the Commonwealth of Pennsylvania and laws of the State of New Jersey which trust indenture may among other things express the terms of such pledge and of the pledge of the proceeds of the bonds and may define the rights and remedies of the bondholders of the trustee So long as any obligation or duties imposed upon the said Board under

the terms of such contract remain unfulfilled or remain to be performed the existence of the said Board shall not be terminated or its powers abridged prior to the expiration of the term of its corporate life

The said Board and the said Commission entering into such contract may jointly exercise in such adjoining state to the extent permitted by the laws thereof and by such contract any and all powers with respect to the construction operation and maintenance of such tunnel conferred upon said Commission by the laws of such adjoining state and may jointly exercise in said adjoining state any and all powers with respect to the acquisition of franchises permits and other rights and real and personal property conferred upon said Commission by the laws of New Jersey and the Commission entering into such contract may exercise in the Commonwealth of Pennsylvania but only jointly with said Board or with the approval of said Board to the extent provided by such contract any and all powers with respect to the construction operation and maintenance of such tunnel and with respect to the acquisition thereof of franchises permits and other rights and real and personal property which are conferred upon said Board under the laws of the Commonwealth of Pennsylvania Provided however That the right of eminent domain may be exercised in the Commonwealth of Pennsylvania only by said Board

So long as there shall be no default in the performance of any covenant condition agreement or provision contained in such bonds or in the resolution or indenture under which such bonds may be issued tolls for transit through such tunnel and other charges for the use thereof shall be fixed jointly by the said Board and by the said Commission or by the agency issuing the bonds to finance such tunnel But in the event of any such default and during the continuance thereof the fixing of such tolls and other charges shall be governed by the laws of the Commonwealth or the State of New Jersey and by the provisions of the resolution or the trust indenture under which such bonds may be issued The said Board or Commission issuing such bonds may pledge such tolls and other charges to the payment of such bonds and such tolls and other charges shall at all times be so fixed and adjusted as to provide a sinking fund sufficient to pay such bonds and the interest thereon and to provide an additional fund to pay the cost of maintaining repairing and operating such tunnel and such tolls may be continued until and only until such bonds and any bonds issued to refund the same and the interest thereon and all claims outstanding against such Board and Commission with respect to such tunnel shall have been paid and thereupon such tunnel and its appurtenances shall vest jointly in the Commonwealth of Pennsylvania and such adjoining state

Section 7 Any such tunnel and all property acquired or used for the purposes thereof in the Commonwealth of Pennsylvania shall be deemed to be public property used for public purposes and such tunnel and property and the revenues thereof and the bonds of said Board or Commission issued to finance such tunnel and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 8 The Board is hereby constituted an instrumentality of the Commonwealth and the exercise by the Board of the powers conferred by this act in the construction operation and maintenance of the tunnel shall be deemed and held to be an essential governmental function of the Commonwealth The Delaware Tunnel Board created by this act by that name may sue and be sued plead and be impleaded contract and be contracted with and have an official seal

Section 9 The Board hereby created may proceed with the construction operation and maintenance of the said tunnel independently or jointly with the Commission without the approval permit or authorization of any other bureau department or commission of the Commonwealth of Pennsylvania it being the intent of this act to vest in the said Board all power authority and rights which

said Board may require for the purpose of carrying into effect the provisions of this act

Section 10 The Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly are hereby authorized to provide by resolution at one time or from time to time for the issuance of tunnel revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the tunnel which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly and may be made redeemable before maturity at the option of the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly at such price or prices and under such terms and conditions as may be fixed by the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly shall determine the form of the bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth Where the bonds are issued jointly by the Board and the Commission the chairman of said Board and the chairman of said Commission shall sign the bonds and the official seals of the Commission and Board shall be affixed thereto and their secretaries shall attest the said bonds but in the event that the Board or Commission issue such bonds as hereinabove provided then only the chairman of the Board or Commission as the case may be shall sign said bonds and shall affix the official seal thereto of the issuing agency and the said bonds shall be attested by the secretary of said issuing agency and any coupons attached to the bonds shall bear the facsimile signature of the officer or officers hereby authorized to sign the bonds In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All tunnel revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The Board acting with the approval of the Commission or the Commission acting with the approval of the Board

or the Board and the Commission acting jointly are hereby authorized and empowered to sell and may sell such bonds in such manner and for such price as the issuing agency may determine to be for the best interests of such Board or Commission or both The proceeds of such bonds shall be used solely for the payment of the cost of the tunnel and shall be disbursed upon requisition of the chairman of the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the tunnel additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the tunnel the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such tunnel revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

Section 11 All moneys received from any bonds issued pursuant to this act shall be applied solely to the payment of the cost of the tunnel or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds or the trustee hereinafter provided for in respect of such bonds

Section 12 In the discretion of the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly such bonds may be secured by a trust indenture by and between the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls

and revenue to be received but shall not convey or mortgage the tunnel or any part thereof. Either the resolution providing for the issuance of such bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the tunnel and the custody safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and Commission acting jointly. Such indenture may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. In addition to the foregoing such trust indenture may contain such other provisions as the Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly may deem reasonable and proper for the security of bondholders. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the tunnel.

Section 13. The accomplishment by the Board and the Commission or the Board or Commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and New Jersey and for the improvement of their commerce and prosperity in which accomplishment the Board or the Commission or both will be performing essential governmental functions the Board or the Commission or both shall not be required to pay any taxes or assessments on any property acquired or used by the said Board or Commission or both for the purposes provided in this act and the bonds or other securities and obligations issued by the Board or the Commission or both their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth.

Section 14. The Board acting with the approval of the Commission or the Commission acting with the approval of the Board or the Board and the Commission acting jointly are hereby authorized to fix and to revise from time to time tolls for the use of the tunnel and to charge and collect the same and to contract with any person partnership association or corporation desiring the use thereof. Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the tunnel if any to pay (a) the cost of maintaining repairing and operating the tunnel and (b) the bonds and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds or by the trust indenture as the same shall become due. Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency. The tolls and all other revenues derived from the tunnel except such part thereof as may be required to pay the cost of maintaining repairing and operating the tunnel and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) The interest upon such bonds as such interest shall fall due (2) The principal of the bonds as the same shall fall due (3) The

necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another. Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds. All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 15. The Board with the approval of the Commission or the Commission with the approval of the Board or the Board and Commission are hereby authorized to provide by resolution for the issuance of tunnel revenue refunding bonds for the purpose of refunding any tunnel revenue bonds issued under the provisions of this act and then outstanding. The issuance of such tunnel revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the Board or Commission or both in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions:

(a) No tunnel revenue refunding bonds shall be delivered unless delivered in exchange for tunnel revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable tunnel revenue bonds or tunnel revenue bonds maturing or redeemable within three months including any redemption premium thereon.

(b) No tunnel revenue refunding bonds shall be issued unless to refund tunnel revenue bonds which have matured or will mature within three months or unless the interest rate of the tunnel revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the tunnel revenue bonds to be refunded.

Section 16. Any holder of bonds issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the Board or Commission or both or any officer thereof including the fixing charging and collecting of tolls for the use of the tunnel.

Section 17. When all bonds and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds and the interest to maturity thereon shall have been set aside in trust for the benefit of the bondholders and shall continue to be held for that purpose and after all claims outstanding against the Board or Commission or both shall have been paid or provisions thereof have been made thereupon such tunnel and its appurtenances shall vest jointly in the Commonwealth of Pennsylvania and in the State of New Jersey and thereupon the tunnel shall be maintained by the Commonwealth of Pennsylvania and the State of New Jersey on an equal cost basis and the Board and the Commission shall be dissolved and all funds of the Board or the Commission or both not required for the payment of the bonds or for the payment of any other claim shall be divided equally between the Commonwealth of Pennsylvania and the State of New Jersey and thereafter the tunnel shall be free of tolls.

Section 18 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof.

Section 19 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 20 The act approved the twenty-second day of December one thousand nine hundred thirty-three (1933-1934 P. L. 108) entitled "An act providing for the construction of a tunnel or tunnels between the State of New Jersey and the Commonwealth of Pennsylvania under the Delaware River and the issuance of permits therefor" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 469) and the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 470) entitled "An act to authorize any Authority organized under the Municipality Authorities Act of one thousand nine hundred and thirty-five as amended to contract with any county or commission thereof in an adjoining state with respect to the financing construction operation and maintenance of an interstate tunnel providing for the issuance of revenue bonds the execution of trust indentures and the fixing of tolls and providing the acquisition of franchises permits and real and personal property conferring powers upon such Authority and such county or commission and exempting from taxation within the Commonwealth any such tunnel the property and revenues therefrom and the bonds of such Authority county or commission issued to finance such tunnels" are hereby repealed and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallory,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Cridder,	Jaspan,	Ruth,	Watson,
Crows,	Kephart,	Scarlett,	Wilson,
Deut,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—1

Heyburn,
Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order

The Senate proceeded to the third reading and consideration of Senate Bill No. 673, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of roads from the State highway system and providing for their future maintenance and construction" are hereby amended by adding certain additional roads to be removed from the State highway system to read as follows

Section 1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to join two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

* * * * *

Blair County

The section of road in Catharine and Woodbury Townships Blair County designated in the records of the Department of Highways as Route 07013 spur "E" beginning at a point on Route 07020 about one half mile north of Cove Forge thence southerly a distance of about .82 of a mile

Northumberland County

The section of road in Rockefeller Township Northumberland County identified in the records of the Department of Highways as Route 49081 spur E extending southerly from Route 49027 in seven points a distance of about 0.04 of a mile

Section 2 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highway certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

* * * * *

Clearfield County

The section of the former Milesburg and Smethport turnpike identified in the records of the Department of Highways as Route 865 extending from its intersection with Route 17107 northwesterly through Covington Guard Goshon and Lawrence Townships Clearfield County to the Elk County Line a distance of about 18.4 miles

Susquehanna County

The section of the former Milford and Owego turnpike presently identified as State highway Route 944 from its intersection with Route 9 at Oakley westerly through Harford and Brooklyn Townships to the intersection with Route 57032 a distance of about 1.2 miles

The section of the former Milford and Owego turnpike presently identified as State Highway Route 944 from its intersection with Route 365 near Lenox easterly in Lenox Township to Route 57148 in Susquehanna County a distance of about 1.35 miles

Wayne County

The sections of the former Honesdale and Delaware Plank road presently identified as State Highway Route 961 beginning at a point on Route 962 and paralleling Route 335 to a point near Narrowsburg in Damascus Township Wayne County a distance of about 0.8 of a mile

Section 3 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 796) entitled "An act establishing as State highways certain county highways and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

* * * * *

Wayne County

The section identified in the records of the Department of Highways as Route 63106 from a point on the northwest line of Hawley Borough northwesterly through Paymyra Township for a distance of about 0.64 of a mile

Section 2 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Willson,
Dent,	Klein,	Snowden,	Wolfe,
DISilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,	Lord,	Tarr,	Heyburn,
			Presiding Officer

NAYS—1

Barr.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 706, on third reading, entitled:

An Act to amend subsection (e) of section two of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties." further regulating dust hazards.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 719, on third reading, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 720, on third reading, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 524.1), page 3, line 11, by striking out the word "or" where it appears the first time; Amend Sec. 1 (Sec. 524.1), page 3, line 12, by inserting after the word "persons" the following: "either full time or for most of such person's working time"; Amend Sec. 1 (Sec. 524.1), page 3, line 13, by inserting after the word "basis" the following: "One who so employs any person for more than six months in any calendar year shall be deemed an employer within this act"; Amend Sec. 1 (Sec. 524.1), page 5, line 16, by striking out the word "by" and insert-

ing in lieu thereof: "under"; Amend sec. 1 (Sec. 524.1 (d)), page 6, line 3, by striking out "together with such other pertinent information" and by striking out all of line 4 and the following in line 5 "district levying the tax or by the collector of school taxes"; Amend Sec. 1 (Sec. 524.1), page 6, line 7, by inserting after the word "filed" the following: "If the tax is not paid when the return is filed, it may be paid thereafter at face during the months of May, June and July. If it is not paid on or before the last day of July in the year in which it becomes due it shall be delinquent and shall thereafter bear interest at the rate of one-half of one per centum per month until paid"; Amend Sec. 1 (Sec. 524.1), page 6, line 20, by striking out the word "and"; Amend Sec. 1 (Sec. 524.1 (e)), page 7, line 6, by striking out "and such other per—" and by striking out all of line 7 and the following in line 8 "tion or by the collector of school taxes"; Amend Sec. 1 (Sec. 524.1), page 8, line 11, by inserting after the word "tax" the following: "The liability of a husband for his wife's tax shall be in addition to the liability of a married woman for her own tax"; Amend Sec. 1 (Sec. 524.1), page 9, lines 1 to 6, by striking out the words "The collector of school taxes in any school" in line 1, all of lines 2 to 5, and the words "or found to have occurred" in line 6; Amend Sec. 1 (Sec. 524.1), page 9, line 10, by inserting after the word "law" the following: "Costs incurred in collecting the tax shall be paid by the school district levying the same"; Amend Sec. 1 (Sec. 524.1), page 11, by inserting between lines 14 and 15, the following: "(k) Duty to Collect. The collector of school taxes in any school district of the first class is hereby charged with the duty of collecting taxes levied under the provisions of this act so far as the same may be collected by demand and billing. Such collector may reexamine or correct returns and payments alleged or found to be incorrect or as to which the over-payment or under-payment is claimed or found to have occurred. Taxes levied under this act, which become delinquent, shall be filed of record as liens against real estate in the manner now provided by law in the case of delinquent school taxes and by the person or persons now authorized or directed by law to file such delinquent school taxes. If the tax cannot be collected by demand and billing or by filing a lien for the same against real estate owned by a taxpayer, it shall be the duty of the school district levying a tax, through its solicitor, to collect the same by suit in assumpsit or by prosecution under subsection (j) of this section, and, in this event, the collector of school taxes shall furnish to the school district or its solicitor any information concerning such delinquent taxpayers which may be in his possession;" Amend Sec. 1 (Sec. 524.1), page 11, line 15, by striking out the letter "(g)" and inserting in lieu thereof: "(l)"; Amend Sec. 1 (Sec. 524.1), page 11, line 19, by striking out the letter "(l)" and inserting in lieu thereof: "(m)"; Amend Sec. 1 (Sec. 524.1), page 12, line 5, by striking out the letter "(m)" and inserting in lieu thereof: "(n)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 768, on third reading, entitled:

An Act to repeal sections two and three of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

be placed on the Third Reading Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 770, as follows:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Creation of Board There is hereby created an independent administration board which shall be known as the State Tax Equalization Board hereinafter referred to as the board

Section 2 Appointment of Board Compensation (a) The board shall consist of three members who shall be citizens of the United States residents of Pennsylvania and qualified electors for a period of at least one (1) year next preceding their appointments Each appointee shall be familiar by training or experience with the problems involved in the work of the board

(b) The members of the board shall be appointed by the Governor for terms of four (4) years each or until their successors shall be duly appointed and shall have qualified Any vacancy occurring shall be filled by appointment of the Governor for the unexpired term Each member of the board shall devote his entire time to the duties of his office A member of the board may after notice and an opportunity to be heard be removed for cause by the Governor

(c) The chairman of the board shall receive an annual salary of ten thousand five hundred dollars (\$10,500) and each other member thereof shall receive an annual salary of ten thousand dollars (\$10,000)

Section 3 Chairman Authority and Duties The Governor shall designate one of the members as chairman The chairman shall be in charge of the administration of the board and the transaction of its routine business and shall execute the orders and policies of the board In the absence of the chairman the member designated by him shall perform his duties and while so doing shall have the authority of chairman

Section 4 Quorum Two (2) members of the board shall constitute a quorum A quorum voting unanimously shall be sufficient to exercise all the rights and perform all the duties of the board

Section 5 Individual Powers of Members of the Board

Any investigation inquiry or hearing which the board has power to undertake or hold may be undertaken or held by or before any one or more of the members of the board. All investigations inquiries or hearings before or by any such member or members shall be deemed to be the investigations inquiries and hearings of the board. Any determination ruling or order of a member or members upon any such investigation inquiry or hearing undertaken or held by him or them shall not become and be effective until approved and confirmed by at least a quorum of the board and ordered to be filed in its office. Upon such confirmation and order such determination ruling or order shall be the determination ruling or order of the board. In any investigation inquiry or hearing which may hereafter be instituted the board is hereby authorized to employ special agents or examiners who shall have the power to administer oaths and examine witnesses and receive evidence in any locality which the board may designate. The testimony and evidence so taken or received shall have the same force and effect as if taken or received by the board or any one or more of its members as above provided.

Section 6 Personnel The board shall have the power to employ such employees assistants and experts as may be necessary to carry out any clerical administrative investigatory or technical tasks connected with its work and to fix the compensation of such employees subject to the provisions of the Administrative Code of 1929.

Section 7 General Powers and Duties of the Board The board shall have the power and its duty shall be

(1) To determine the market value of taxable real property in each of the school districts and to conduct investigations require information and have access to whatever public records are necessary in making each such determination.

(2) To require the county commissioners of each county to furnish to it monthly a list of all conveyances or other transfers of real estate or any interest therein recorded within such county during the preceding month stating the value of the Federal tax stamps affixed to the deed for each such conveyance and the assessed valuations for county tax purposes of such real estate.

(3) To certify to the Superintendent of Public Instruction not later than the first day of July of each year a list of all school districts showing the market value of taxable real property and the assessed valuation for county tax purposes and to furnish to the Board of School Directors of each school district as much of such information as pertains to such school district. The first lists shall be furnished not later than the first day of July one thousand nine hundred forty-nine.

(4) To hear and decide appeals of parties who may feel aggrieved by any finding or conclusion of the board.

(5) To investigate the finances and any other general circumstances of any school district requesting special aid from the Superintendent of Public Instruction and to advise the Superintendent of Public Instruction in making grants of special aid.

(6) To make surveys and investigations of the finances of school districts in the interest of a more equitable distribution of school support.

(7) To subpoena State and local officials and to require from them such information as may be necessary for the proper discharge of its duties.

(8) To have and exercise all of the powers and perform all the duties imposed upon independent administrative boards by the Administrative Code of 1929 and its amendments.

Section 8 Compilation of Data Showing Market Value of Real Property Immediately after its organization the board shall accumulate and compile data showing the prices at which real property in each school district has been sold and all other available relevant matter in any way having a bearing on the market value of real property in the several school districts. After such data has been compiled the board shall add thereto from time to time such additional data concerning new sales and improvements and other data to the end that the records

of the board shall at all times show the then present market value of real property in each school district as nearly as the same can be determined. In compiling all such data the board shall have authority to examine all local tax assessment records both in the hands of local assessors and in the hands of county and city assessors and boards commissions or departments charged with the duty of revising assessments. The board shall also have power to examine all other public records wheresoever located.

Section 9 Monthly Reports by Counties Commonwealth Payments (a) It shall be the duty of the county commissioners of each county on the fifteenth day of each month to prepare certify and deliver to the board for its use and in such form and manner as the board may prescribe a list of all conveyances or other transfers of real estate or any interest therein recorded within the county during the preceding month stating the value of the Federal tax stamps affixed to the deed for each such conveyance or transfer as set forth within such instrument and the assessed valuation for county tax purposes of such real estate. Pursuant to the requirements of this section the recorder of deeds of each county shall prepare and deliver to the county commissioners at the end of each month a list of all the real estate so conveyed or transferred within such county during such month stating the value of Federal tax stamps affixed to the instrument so conveying or transferring such real estate or any interest therein.

(b) The board shall pay to the county commissioners of each county the sum of ten cents (10c) for each such conveyance or transfer of real estate on each list so prepared certified and delivered to the board for its use.

Section 10 Annual Reports of Local Assessing Officials On or before the first day of June one thousand nine hundred forty-eight and on or before the first day of June of every year thereafter the board of revision of taxes of counties of the first class the board of property assessment appeals and review of counties of the second class the board for the assessment and revision of taxes of counties of the third class and the county commissioners of all other counties shall file a certificate with the board in such form as it may prescribe and on blanks to be furnished by it showing the assessed valuation of all real property in each school district in the county on which the taxes for the then current year are levied. In the year one thousand nine hundred forty-eight such certificates shall be filed both with the Superintendent of Public Instruction as now required by law and with the board as required hereby. But thereafter no certificate shall be required to be filed with the Superintendent of Public Instruction.

Section 11 Market Value and Percentage thereof of Value Assessed for Tax Purposes From the data so compiled the board shall as soon as possible after the first day of July one thousand nine hundred forty-eight determine the market value of real property in each school district and the percentage of the market value as so determined of the assessed valuation for county tax purposes.

Section 12 Certification to Superintendent of Public Instruction and School Districts As soon as the market value of the real property in each school district throughout the Commonwealth has been determined and the percentage of such value of the assessed valuation for county tax purposes has been established the board shall certify the same to the Superintendent of Public Instruction and as to each school district to the board of school directors thereof.

Section 13 Objections by School Districts Hearings Basis for Future Valuations Any school district aggrieved by any finding or conclusion of the board affecting the amount of any Commonwealth subsidy payable to it may in writing state its objections thereto and shall thereupon be granted a hearing by the board at which the district shall have the right to submit evidence for the purpose of showing that the findings of the board are incorrect and to present arguments to substantiate its contentions. After carefully considering all evidence submitted and the

arguments of the district the board shall make such modifications and adjustments of its findings and computations as to it shall appear proper or it may dismiss the objections. In either event the decision of the board shall be final. The valuations so adjusted shall form the basis upon which valuations for the purpose of determining the amounts of Commonwealth subsidies shall be determined as hereinafter provided.

Section 14 Annual Adjustments of Valuations On or before the first day of July one thousand nine hundred forty-nine and on or before the first day of July of each year thereafter the board shall adjust the market value of real property in each school district to conform with such new data as may have been accumulated since the market values for the last preceding year were determined and shall determine the percentage of such market value of the assessed valuation of all real property in the district on which county taxes for the then current year are levied. Such market values percentages and adjustments shall be certified to the Superintendent of Public Instruction and the several school districts as hereinbefore provided with the same rights to school districts to hearings and determinations by the board.

Section 15 Determination and Apportionment of Commonwealth Subsidies As soon as possible each year after the final adjustment of values by the board the board shall certify to the Superintendent of Public Instruction the market value of all real property in each school district in the Commonwealth Beginning with payment to be made during the school year one thousand nine hundred forty-nine one thousand nine hundred fifty each school district's assessed valuation to be used for purposes of computing its standard reimbursement fraction shall be the market value of the taxable real property in the school district as finally adjusted and determined upon by the board and not the assessed valuation for county tax purposes as now provided by law Beginning with the year one thousand nine hundred forty-nine and every two (2) years thereafter in place of the valuations now required by law to be used for such purposes the market value of the real property in each school district as finally adjusted and determined upon by the board shall be used by the Superintendent of Public Instruction in ascertaining and determining the amount of funds required to meet payments to school districts and vocational school districts which become due and payable by law within the two fiscal years beginning June first one thousand nine hundred forty-nine and ending May thirty-first one thousand nine hundred fifty-one and each biennium thereafter and to apportion and allot the same to and among the respective school districts.

Section 16 Special Aid to School Districts Before granting any special aid to any school district the Superintendent of Public Instruction shall submit the request therefor to the board. The board shall make its recommendations with respect thereto in so far as the same is affected by the district's ability to raise funds by taxation. Before making any such recommendation the board shall carefully investigate and study the financial circumstances of the district and whether or not it has exhausted its available taxing power not only on real property but also on all other available property and subjects of taxation and that collection of such taxes is being effectively made and enforced. Such recommendations shall be for the advice of the Superintendent of Public Instruction in passing on such requests.

Section 17 Saving Clause Nothing contained in this act shall be construed to change or affect the validity of the assessed valuation of any real property for the purpose of levying taxes by any political subdivision.

Section 18 Appropriation The sum of five hundred thousand dollars (\$500,000) or as much thereof as may be necessary is hereby specifically appropriated to the board for the payment of salaries of the members of the board and its employees for payments to county commissioners under the provisions of section nine of this act and for the payment of the costs of supplies equipment and all other necessary expenses incurred in the carrying out of

its work during the fiscal biennium beginning the first day of June one thousand nine hundred forty-seven.

Section 19 Repeal All acts or parts of acts inconsistent herewith are hereby repealed.

Section 20 Effective Date The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mahany,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Crider,	Jaspan,	Scarlett,	Wilson,
Crowe,	Kephart,	Snowden,	Wolfe,
Dent,	Klein,	Stevenson,	Wood, L. H.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Heyburn,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,	Taylor,	

NAYS—3

Chapman,	Mallery,	Wood, T. N.,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 774, as follows:

An Act to amend the act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 5 of the Act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" is hereby amended to read as follows:

Section 5 Determination and Redetermination of Taxes Penalty and Interest Due by Manufacturer

(a) If the department is not satisfied with the report and payment of taxes made by any manufacturer under the provisions of this act it is hereby authorized and empowered to make a determination of the taxes due by such manufacturer based upon the facts contained in the reports or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such manufacturer Within [thirty (30)] ninety (90) days after the date upon which the copy of any such determination was mailed such manufacturer may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within [ninety (90) days] six months after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within [thirty (30)] sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for redetermination filed with it the manufacturer against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies [and shall be in such form as the Board of Finance and Revenue shall prescribe] or shall incorporate by reference the petition for redetermination in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided The Board of Finance and Revenue shall [dispose] act finally in disposition of such petitions filed with it within [ninety (90) days] six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within [ninety (90) days] six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the taxes due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(d) The [department] Commonwealth of Pennsylvania or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within [ninety (90) days] six (6) months within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(e) If any manufacturer shall neglect or refuse to make any report and payment of taxes required by this act the department shall estimate the tax due by such manufacturer and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahouser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 777, on third reading, entitle

An Act to further amend the act approved the thirteenth day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 779, as follows:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant who testifying in his own behalf" by further providing when evidence is or is not admissible

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examinations of a defendant when testifying in his own behalf" is hereby amended to read as follows

Section 1 Be it enacted &c That [hereafter any person charged with any crime and called as a witness in his own behalf shall not be asked and if asked shall not be required to answer any question tending to show that he has committed or been charged with or been convicted of a

offense other than the one wherewith he shall then be charged or tending to show that he has been of bad character or reputation unless in the trial of any person charged with crime no evidence shall be admitted which tends to show that the defendant has committed or has been charged with or has been convicted of any offense other than the one wherewith he shall then be charged or that he has been of bad character or reputation unless

One He shall have at such trial personally or by his advocate asked questions of the witness for the prosecution with a view to establish his own good reputation or character or has given evidence tending to prove his own good character or reputation or

Two He shall have testified at such trial against a co-defendant charged with the same offense

Three The proof that he has committed or has been convicted of such other offense is admissible evidence as to the guilt or the degree of the offense wherewith he is then charged

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mahany,	Wade,
Blass,	Hare,	Mallery,	Wagner,
Carr,	Holland,	Ruth,	Walker,
Chapman,	Homsher,	Scarlett,	Watson,
Cridger,	Jaspan,	Snowden,	Wilson,
Crowe,	Kephart,	Stevenson,	Wolfe,
DiSilvestro,	Klein,	Stiefel,	Wood, L. H.,
Doehle,	Leader,	Tallman,	Wood, T. N.,
Farrell,	Letzler,	Taylor,	Heyburn,
			Presiding Officer

NAYS—9

Barr,	Lane,	Rahauser,	Tarr,
Dent,	Margle,	Rosenfeld,	Woodring,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 781, as follows:

An Act to further amend section 4 of the act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to court and collection of delinquent taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold

and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" as last amended by the act approved the 29th day of April 1937 (P. L. 527) is hereby further amended to read as follows

Section 4 Malt Beverage Tax Stamps on Crowns Penalties Assessments and Reassessments of Tax by Department of Revenue Appeals Collection

(a) The payment of the taxes herein provided shall be evidenced by the affixing of malt beverage tax stamps or crowns to the original containers in which all malt or brewed beverages are placed received stored shipped or handled Such stamps or crowns shall be affixed to each individual container of malt or brewed beverages by manufacturers of this Commonwealth within twenty-four (24) hours after such malt or brewed beverages are placed therein and by manufacturers and other persons who import or bring any malt or brewed beverages into this Commonwealth before the same are transported within this Commonwealth for sale delivery or storage therein Nothing herein contained shall require stamps or crowns to be attached to containers of malt or brewed beverages which are transported through this Commonwealth and which are not sold delivered or stored therein if transported in accordance with such rules and regulations as may be adopted by the Department of Revenue and the Pennsylvania Liquor Control Board

Persons licensed as "Public Service Licensees" under the provisions of any law of this Commonwealth relating to the sale of liquor and malt or brewed beverages shall not be required on reaching the borders of this Commonwealth to evidence the payment of the tax herein provided for by affixing malt beverage tax stamps or crowns as provided for in this section on any malt or brewed beverage on which the Pennsylvania malt beverage tax has not been paid but instead shall keep such records of the sales of such malt or brewed beverages in this Commonwealth as the Department of Revenue shall prescribe shall submit monthly reports of such sales to the Department of Revenue upon a form prescribed therefor by said department and shall pay the tax due by the provisions of this act at the time such reports are filed

(b) It is the intent and purpose of this section to require all manufacturers and other persons with the exception of public service licensees to affix the stamps or crowns provided for in this act to all original containers in which malt liquors are normally placed prepared for market received sold or handled before such beverages are transported within the Commonwealth

(c) Any manufacturer or person other than a public service licensee who shall sell malt or brewed beverages to distributors retail dealers or consumers without affixing to the containers the stamps or crowns required by this act and any person who shall purchase receive transport store or sell any malt or brewed beverages to which the stamps or crowns required by this act are not affixed except as herein provided in the case of public service licensees shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred (\$100) dollars or more than five hundred (\$500) dollars or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred (\$200) dollars or more than one thousand (\$1000) dollars and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years

(d) If any person shall fail to pay any tax imposed by this act for which he is liable the department is hereby authorized and empowered to make an assessment of additional tax due by such person based upon any in-

formation within its possession or that shall come into its possession

(e) Promptly after the date of such assessment the department shall send by registered mail a copy thereof to the person against whom it was made within [thirty (30)] ninety (90) days after the date upon which the copy of any such assessment was mailed such person may file with the department a petition for reassessment of such taxes Every petition for reassessment shall state specifically the reasons which the petitioner believes entitle him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true It shall be the duty of the department within [ninety (90) days] six (6) months after the date of any assessment to dispose of any petition for reassessment Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department

(f) Within [thirty (30)] sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies [and shall be in such form as the Board of Finance and Revenue shall prescribe] or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided The Board of Finance and Revenue shall [dispose] act finally in disposition of such petitions filed with it within [ninety (90) days] six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within [ninety (90) days] six (6) months the action taken by the department upon the petition for reassessment shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(g) The Commonwealth of Pennsylvania or any person aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act upon his petition for review within [ninety (90) days] six (6) months may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(h) In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be

(i) Whenever any assessment of additional tax is not paid within [thirty (30)] ninety (90) days after the date thereof if no petition for reassessment has been filed or within sixty (60) days from the date of reassessment if no petition for review has been filed or within [ninety (90)] sixty (60) days from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment In such event in a proceeding for the collection of such taxes the person

against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department The Board of Finance and Revenue or the Courts as aforesaid The department may also certify to the Liquor Control Board for such action as the Board may deem proper the fact that any person has failed to pay or duly appeal from such assessment of additional tax The department may also provide and promulgate and enforce such rules and regulations as may be appropriate to prevent further shipment or transportation of malt or brewed beverages into this Commonwealth by any person against whom such unpaid assessment shall have been made

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 782, as follows:

An Act to amend the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and alien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 7 of the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the gen-

ation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to the corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties concerning powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" is hereby amended to read as follows

Section 7 Determination and Redetermination of Tax Penalties and Interest Due

(a) If the department is not satisfied with the report and payment of tax made by any distributor under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such distributor based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

(b) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such distributor Within [thirty (30)] ninety (90) days after the date upon which the copy of any such determination was mailed such distributor may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitles him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within [ninety (90) days] six (6) months after the date of any determination to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of redetermination by the department

(c) Within [thirty (30)] sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for redetermination filed with it the distributor against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies [and shall be in such form as the Board of Finance and Revenue shall prescribe] or shall incorporate by reference the petition for redetermination upon which such reasons shall have been stated The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof A petition for review may be amended by the petitioner at any time prior to the hearing thereon as hereinafter provided The Board of Finance and Revenue shall [dispose] act finally on the disposition of such petitions filed with it within [ninety (90) days] six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within [ninety (90) days] six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail to the petitioner or otherwise to the department and to the petitioner

(d) The [department] Commonwealth of Pennsylvania any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within [ninety (90) days] six (6) months may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the department as the case may be in the manner now hereafter provided by law for appeals in the case of tax settlement

(e) If any distributor shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such distributor and determine the amount due by him for taxes penalties and interest thereon as prescribed herein from which determination there shall be no right of review or appeal Upon any such neglect or refusal the liquid fuels permit or permits issued to such distributor may be suspended or revoked by the department and required to be surrendered to the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 823, as follows:

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntarily suspension of publication shall not disqualify a newspaper to publish legal and official advertising

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" is hereby amended to read as follows

Section 3 The following words wherever used in the acts of Assembly of this Commonwealth now in force or hereafter enacted shall have the following meanings

(1) "Newspaper" means a printed paper or publication bearing a title or name and conveying reading or pictorial intelligence of passing events local or general happenings printing regularly or irregularly editorial comment announcements miscellaneous reading matter commercial advertising classified advertising legal advertising and other notices and which has been issued in numbers of four or more pages at short intervals either daily twice or oftener each week or weekly continuously during a period of at least six months or as the successor of such a printed paper or publication issued during an immediate prior period of at least six months and which has been circulated and distributed from an established place of business to subscribers or readers without regard to number for a definite price or consideration either entered or entitled to be entered under the Postal Rules and Regulations as second class matter in the United States mails and subscribed for by readers at a fixed price for each copy or at a price fixed per annum. Provided A newspaper may be either a daily newspaper weekly newspaper newspaper of general circulation official newspaper or a legal newspaper as defined by this act And provided further That continuous publication within the meaning of this section shall not be deemed interrupted by any involuntary suspension of publication resulting from loss destruction failure or unavailability of operating facilities equipment or personnel from whatever cause and any newspaper so affected shall not be disqualified to publish legal and official advertising in the event that publication is resumed within one week after it again becomes possible

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margle,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 9, page 7, lines 1 and 2, by striking out the words "and shall conform to the rules and regula-" in line 1, and all of line 2.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828, as follows:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this act authorizing the issuance of Turnpike Revenue bonds of the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension paying the cost of the Eastern Extension or the cost of the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any act heretofore approved or under the provisions of this act and which shall then be outstanding including the payment of any redemption premiums thereon refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this act or any other act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in the act the following words and terms shall have the following meanings unless the context shall indicate another or different meaning or intent

(a) The word "Commission" shall mean the Pennsylvania Turnpike Commission created by the act approved the twenty-first day of May 1937 (P. L. 774)

(b) The word "Turnpike" shall mean the turnpike heretofore constructed under the provisions of said Act approved the twenty-first day of May 1937 (P. L. 774)

(c) The term "Eastern Extension" shall mean the turnpike authorized to be constructed and financed under the provisions of the Pennsylvania Turnpike Philadelphia Extension Act approved the sixteenth day of May 1940 (P. L. 949) as amended

(d) The term "Western Extension" shall mean the turnpike authorized to be constructed and financed under the provisions of the Western Pennsylvania Turnpike Ex-

sion Act approved the eleventh day of June 1941 (P. L. 1) as amended

(e) / The word "project" shall mean either the Turnpike the Eastern Extension or the Western Extension

(f) The word "cost" as applied to the Eastern Extension shall have the same meaning as the term "cost of the turnpike" as defined in said act approved the sixteenth day of May 1940 and as applied to the Western Extension shall have the same meaning as the term "cost of the turnpike" defined in said act approved the eleventh day of June 1941

Section 2 Notwithstanding any of the provisions of any of the acts hereinabove mentioned and in addition to all other powers granted to it by law the Commission is hereby authorized and empowered (1) to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this act (2) to provide for the issuance at any time or from time to time of revenue bonds of the Commonwealth for any of the following purposes (a) paying the cost of the Eastern Extension and the cost of the Western Extension (b) paying the cost of the Eastern Extension or the cost of the Western Extension or the cost of both and refunding any turnpike revenue bonds or turnpike revenue refunding bonds which shall have theretofore been issued by the Commission under the provisions of any of the acts hereinabove mentioned or under the provisions of this act and which shall then be outstanding including the payment of any redemption premium thereon and (c) refunding any revenue bonds or revenue refunding bonds theretofore issued under the provisions of this act including the payment of any redemption premium thereon and (3) to fix and revise from time to time the interest for the use of the project so combined

The issuance of revenue bonds under the provisions of this act the maturities and other details thereof the securing of such bonds by a trust indenture the maintenance and operation of the projects so combined and fixing and revising of tolls for the use of such projects the exemption of such projects and such bonds from taxation the rights of the holders of such bonds and the rights powers and obligations of the Commonwealth and of the Commission in respect of the same shall be governed by the provisions of said act approved the twenty-fifth day of May 1937 (P. L. 774) as amended by the act approved the twenty-fourth day of May 1945 (P. L. 972) in so far as the same may be applicable

Section 3 Notwithstanding any of the provisions of any of the Acts hereinabove mentioned any revenue bonds hereafter issued by the Commission whether under the provisions of any of said acts or under the provisions of this act may be executed with the facsimile signatures of the Governor and the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission may be affixed to such bonds in lieu of the official seal. In case any officer whose signature is a facsimile of whose signature shall appear on any such bonds or coupons shall cease to be such officer because the delivery of such bonds such signatures or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until the delivery

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Art, Geltz, Mallery, Tyler,
ecker, Haluska, Margie, Wade,
rger, Hare, Rahausen, Wagner,
ass, Holland, Rosenfeld, Walker,
arr, Homsher, Ruth, Watson,
chapman, Jaspian, Scarlett, Wilson,
rider, Kephart, Snowden, Wolfe,

Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,
Frazier,

Klein,
Lane,
Leader,
Letzler,
Lord,
Mahany,

Stevenson,
Stiefel,
Tallman,
Tarr,
Taylor,

Wood, L. H.,
Wood, T. N.,
Woodring,
Heyburn,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 828, on third reading, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 831, as follows:

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties providing for a Director of Public Safety and defining his powers and duties defining the scope of existing safety agencies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Findings It has been determined by the General Assembly of this Commonwealth and it is hereby declared as a matter of legislative finding that (1) This Commonwealth has adopted an elaborate system of laws designed to assure safety on the highways and in industry but notwithstanding these laws and efforts at their enforcement through State and local agencies and periodic inspections and campaigns of education in which the public schools and many public spirited organizations have joined accidents continue [to occur annually]

(2) The experience of other states has been that by providing proper administrative agencies by coordinating safety work in the field of enforcement engineering and education and by engaging in never-ending safety campaigns much may be accomplished toward reducing the number of accidents

Section 2 Creation of Commission (a) There is hereby created the Pennsylvania Public Safety Commission which shall be an Independent Administrative Commission and shall have all the powers conferred on and perform all the duties vested in such commissions generally by the Administrative Code of 1929 and its amendments

(b) The Pennsylvania Public Safety Commission shall be composed of the Secretary of Revenue the Secretary of Highways the Secretary of Agriculture and the Superintendent of Public Instruction the Secretary of Labor and Industry the Secretary of Mines the Chairman of the Pennsylvania Public Utility Commission the Commissioner of the Pennsylvania State Police or such representative from his department as each may designate in his stead and the Director of Public Safety hereinafter provided for

(c) Four members of the commission shall constitute a quorum

(d) The Governor shall appoint a resident of this Com-

monwealth who shall be designated as the Director of Public Safety and who shall be qualified by experience in safety work and by experience with public relations techniques. He shall receive such salary as the Governor may determine not to exceed ten thousand dollars (\$10,000) annually. The Director of Public Safety shall be chairman of the commission and shall have the same status as the head of an administrative department.

(e) The members of the commission other than the director shall not receive any additional compensation for their duties as members of the commission other than reimbursement for all expenses necessary incurred in the discharge of their duties.

Section 3 Duties of Commission It shall be the duty of the Pennsylvania Public Safety Commission

(1) To formulate and develop plans and methods for increasing safety on the public highways in industry and mines on farms in hotels commercial establishments and other places of public assemblage and in the home and for preventing accidents at such places and to supervise the execution of such plans and methods

(2) To aid in the promotion of safety education in the public schools in cooperation with the Department of Public Instruction to stress safety education in the home and on the farm and in industry and mines in hotels commercial establishments and other places of public assemblage and to devise a practicable method of promoting safety education in the home and on the farm

(3) To conduct never-ending campaigns of public safety education

(4) To ascertain highway home farm hotel commercial establishment public assembly and industrial and mining accident hazards and to devise and suggest specific means for their elimination

(5) To coordinate the work of the several departments boards commissions and agencies of the Commonwealth dealing with safety law enforcement and education in methods of safety and to receive and consider reports and suggestions from any department board commission or agency of the Commonwealth

(6) To receive and consider complaints and suggestions made by the public with regard to safety measures

(7) To exercise such other functions which in the opinion of the commission will reduce the number of accidents and safeguard life and property

Section 4 Duties of Director (a) The Director of Public Safety with the approval of the Governor shall appoint such personnel in accordance with the Administrative Code of 1929 as may be deemed necessary to carry into effect the provisions of this act and shall fix their compensation

(b) It shall be the duty of the Director of Public Safety to organize direct and coordinate on a county level the activities of all local organizations public and private which relate to and touch upon the matter of safety in order to carry out the purposes of this act. In performing such duty the director shall personally advise consult with address and otherwise devote his official services to local organizations on a county level and shall contribute a considerable portion of his time to that end

(c) The director shall inform and make recommendations to all existing departments boards commissions and agencies dealing with matters of safety concerning any problem falling within the scope of their particular authority

Section 5 Powers of Existing Departments Boards etc. All existing departments boards commissions and agencies having to do with safety matters shall receive the recommendations of the commission and the director and shall take the necessary steps to enforce the laws of this Commonwealth to improve immediately particularly hazardous conditions and to execute such recommendations

It is the purpose of this act to supplement existing governmental safety agencies with a clearing-house of information education and recommendations in order that they may better carry out the functions of enforcement and improvement of safety conditions delegated to them by the laws of this Commonwealth and nothing contained in

this act shall be construed to limit the powers of any existing department board commission or agency having to do with matters of safety

Section 6 Appropriation The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated for the payment of the salary of the Director of Public Safety for the payment of the salaries of the personnel he shall appoint for the necessary expenses incurred by the members of the Pennsylvania Public Safety Commission in carrying out their duties and for the payment of the expenses incident to the use of those oral and visual devices and aids employed by the Director with the approval of the Commission to disseminate public safety education

Section 7 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margle,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer.
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, as follows:

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 275) is hereby further amended to read as follows

Section 1 Be it enacted &c That to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth the said judges are hereby authorized to employ the help of stenographers typewriters and other clerks provided the cost of such help shall not exceed the sum of twenty-four hundred dollars per annum for each of said judges The cost of such help shall be paid by the judge employing the same and shall be repaid to him upon his certificate of the amount paid by him during the preceding month to be made upon the requisition for salaries as provided by law I appoint and set the salaries of stenographers and clerks provided the cost of such help shall not exceed the sum of five thousand dollars (\$5,000) per annum for each of said judges Such salaries shall be paid by the Commonwealth

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 834, on third reading, entitled:

An Act relating to the public school system prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents superintendents of special education supervisors of agriculture supervisors of home-making and district superintendents providing for reimbursement by the Commonwealth and for reimbursements by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing inconsistent legislation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 836, as follows:

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" by further regulating the payment of such moneys into the State Employees' Retirement Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph from the end of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) is hereby further amended to read as follows

Section 1 * * * * *

All moneys paid to the treasurer of any municipality shall be forthwith paid or credited to the pension or retirement fund or the premium on the pension annuity contract as the case may be to provide pension retirement or disability benefits for the policemen of such municipality or the dependents of such policemen All moneys paid into the State Employees' Retirement Fund shall be credited in equal proportions to the accumulated deductions of the members of the State Police who are contributing members to such fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 891, as follows:

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 810 Election of Councilmen At the municipal election to be held in the year one thousand nine hundred and twenty-seven there shall be elected in each borough a sufficient number of councilmen to equal one-half of the entire number of which such council is legally composed to serve for a term of four years from the first Monday of January next succeeding and where such entire number is seven nine or eleven then sufficient to constitute three four or five as the case may be the aforesaid councilmen to be elected in the year one thousand nine hundred and twenty-seven being successors to those elected in the year one thousand nine hundred and twenty-three whose terms as heretofore provided by law expire on the first Monday of January one thousand nine hundred and thirty shall continue to hold their office until the first Monday of January one thousand nine hundred and thirty as now provided and their successors shall be elected at the municipal election in the year one thousand nine hundred and twenty-nine to serve for a term of four years from the first Monday of January next succeeding Biennially thereafter at the municipal election a sufficient number of councilmen shall be elected for a term of four years from the first Monday of January next succeeding to fill the places of those whose terms under the provisions of this act shall expire on the first Monday of January next following such election Provided That in any case where an election of councilmen has heretofore or shall hereafter be declared invalid by judicial decision and the councilmen in office at the time of such election hold over by reason thereof at the next succeeding municipal election the same number of councilmen that should have been elected at the election which was declared invalid shall be elected for a term of four years from the first Monday of January next succeeding to succeed the councilmen who held over and the terms of the remaining members of council that would otherwise have expired on such first Monday of January shall be increased by an additional period of two years at the end of which their successors shall be elected for a term of four years

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,

Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,
Frazier,

Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,
Mahany,

Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,
Taylor,

Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Heyburn,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1106, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 9, page 6, lines 3, 4 and 5, by striking out the word "and" in line 3, and all of lines 4 and 5.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 1111, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of High-

ways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employees of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1159, as follows:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of title

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "dealer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 290) is hereby further amended and a definition of "fleet owner" is hereby added to said section to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Dealer" (1) A person actively and principally engaged business of buying selling or exchanging new motor vehicle and devoting a substantial portion of his time to the hicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle(s) business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building or a portion of a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles or (5) any person who maintains an established place of business and who is engaged in the business of buying selling or exchanging second hand motor vehicles for the purpose of remodeling taking apart or rebuilding the same or buying or selling of parts of second hand motor vehicles or the assembling of second hand motor vehicle parts or (6) any person engaged in the repair service or towing of motor vehicles or (7) a fleet owner who is engaged in his own repair service Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of trans-

porting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes or a person entitled to dealer registration under clause (7) may only use dealer's registration plates in direct connection with his own repair business for repairing servicing or delivering his own vehicles

* * * * *

"Fleet Owner" Any person who owns a group of fifteen (15) or more motor vehicles

Section 2 Section seven hundred sixteen of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 716 Certificates of Title Duplicate Certificates of Title The fee for each certificate of title shall be two (\$2) dollars except in the case where the certificate of title is issued in the name of the manufacturer jobber or dealer and the dealer manufacturer or jobber is possessed in current manufacturers' dealers' or jobbers' registration plates in which case the fee shall be fifty (.50) cents Provided That the fee for each certificate of title for a fleet owner shall be two (\$2) dollars The fee for a duplicate certificate of title shall be one (\$1) dollar

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Cridder,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1178, as follows:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescrib-

ing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 79) is hereby further amended to read as follows

Section 617.1 (A) Whenever any school building or buildings have been rendered totally unfit for use by reason of fire acts of God obsolescence overcrowding inadequacy or lack of facilities or other unforeseen cause the board of school directors of any school district shall have power to appropriate money out of the general fund of the school district to any nonprofit corporation established for the purpose of constructing school buildings for the use of the school district Provided That before any such money is paid over the corporation shall have entered into a lease with the school district for the building proposed to be erected whereby the school district shall have the right to renew such lease at stated periods at a stipulated rental and at any time during the continuance of the lease to purchase the buildings from the corporation at a stipulated price Provided however That none of the powers granted by this act shall be used by the board of school directors of said school district without the specific and written approval of the State Department of Public Instruction

(b) The board of school directors of any school district shall have power to enter into a contract of lease and release with any nonprofit corporation established for the purpose of erecting athletic stadia including adequate equipment for the athletic field connected therewith as well as fence enclosures and lighting systems Therefor for the use of the school district under which contract the school district shall lease land owned by it to the nonprofit corporation for the purpose of erecting thereon an athletic stadium including adequate equipment for the athletic field connected therewith as well as fence enclosures and lighting systems Therefore for the use of the school district and the school district shall lease the same from the nonprofit corporation at a stated rental payable only out of the proceeds of the gate receipts and rentals for the use of such facilities With the right in the school district to renew such lease at stated periods At a stipulated rental and at any time during the continuance of the lease to purchase the improvements from the nonprofit corporation at a stipulated price No such contract of lease and release shall be entered into until the entire project has been submitted to and approved by the Department of Public Instruction in writing such approval shall include specifically (1) Approval of purpose for which improvement is intended (2) Total cost of improvement (3) Amount of rental (4) Period of time for amortization and (5) A stipulation that no money of the school district other than that received from gate receipts and rentals for the use of the improvements shall be used in making any payment of rental or purchase price upon completion of the improvements The school district shall take over and operate the same and shall collect all gate receipts and entrance fees and all rentals for the use of the improve-

ments and shall keep the same in a separate fund apart from all other moneys of the school district. Such fund until title to the improvements has been obtained by the school district shall be used only for the maintenance and operation of the studium and other improvements and for the payment of rentals and purchase price of such improvements.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauser,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Orider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1180, on third reading, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1188, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law. The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding two and one-half (2½) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election in such manner as shall be provided by law. No debt shall be incurred by or on behalf of the county of Philadelphia and within such county only the city of Philadelphia and the school district of Philadelphia shall have power to incur debt.

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon. The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly.

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments. Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Becker,	Geltz,	Rosenfeld,	Wagner,
Berger,	Hare,	Ruth,	Walker,

Blass, Carr, Chapman, Crider, Crowe, Doehla, Farrell, Frazier,	Holland, Homsher, Kephart, Letzler, Lord, Mahany, Mallery, Margie,	Snowden, Scarlett, Stevenson, Tallman, Taylor, Tyler, Wade,	Watson, Wilson, Wolfe, Wood, L. H., Wood, T. N., Woodring, Heyburn, Presiding Officer
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NAYS—11

Barr, Dent, DiSilvestro,	Haluska, Jaspan, Klein,	Lane, Leader, Rahauser,	Stiefel, Tarr,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1190, as follows:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

(1) "Taxing authority" shall mean the county or the county institution district poor district city borough town township and school district of any county

(2) "Trustee" shall mean the taxing authority of any county having authority by law to purchase real estate at a tax sale against which it holds tax claims

Section 2 Whenever the trustee in any county of this Commonwealth has purchased real estate at a tax sale it shall hold the title thereto in trust for itself and the other taxing authorities having tax claims against such real estate and so long as it holds title to said real estate and collects rents therefrom it shall make distribution of such rentals to and among the several taxing authorities according to their respective interests therein without unreasonable delay

Section 3 The rents and rentals of any such property shall be computed upon the same basis according to the same formula and subject to the same priorities that taxes and the proceeds of the resale of such real estate is computed and distributed by the trustee under the provisions of law

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr, Becker, Berger, Blass, Carr, Chapman, Crider, Crowe,	Geltz, Haluska, Hare, Holland, Homsher, Jaspan, Kephart, Klein,	Mallery, Margie, Rahauser, Rosenfeld, Ruth, Scarlett, Snowden, Stevenson,	Tyler, Wade, Wagner, Walker, Watson, Wilson, Wolfe, Wood, L. H.,
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Dent, DiSilvestro, Doehla, Farrell, Frazier,	Lane, Leader, Letzler, Lord, Mahany,	Stiefel, Tallman, Tarr, Taylor,	Wood, T. N., Woodring, Heyburn, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1216, as follows:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 to 229 inclusive of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" are hereby reenacted revised and amended to read as follows

Section 1 Be it enacted &c That the law for the government and regulation of boroughs is hereby reenacted revised amended and consolidated as follows

Article I

Preliminary Provisions

Section 101 Short Title This Act shall be known and may be cited as "The [General] Borough [Act]" Code"

Section 102 Excluded Provisions This Act does not include any provisions and shall not be construed to repeal any acts relating to

(a) The assessment [of taxes] and valuation of property and persons for the purposes of taxation and the collection of taxes

(b) The [procedure for the] collection of municipal claims by liens

(c) The [amount and] method of incurring or increasing indebtedness

(d) [Election officers and conduct] Conduct of elections

[(e) Poor Districts

[(f) Boards of Health]

[(g)] (e) Common Schools

[(h)] (f) Borough and Ward Constables

[(i)] (g) Justices of the Peace

[(j)] (h) The giving of municipal consent to public service corporations

[(k)] (i) State roads [State-aid roads] and private roads

[(l)] (j) Validations of elections bonds ordinances and acts of corporate officers

[(k) free non-sectarian libraries

[(m) Crimes and offenses by borough officers

[(n) Zoning]

(l) Any of the provisions of the Penal Code

Section 103 Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the corporate existence of any borough heretofore incorporated The provisions of this act shall not affect any act

done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 104 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 105 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 106 Boroughs to which Act Applies This act shall apply to all boroughs incorporated under general law and to all boroughs incorporated under special law which have accepted the provisions of the act of April third one thousand eight hundred and fifty-one (P. L. 320) entitled "An act regulating boroughs" and also to all boroughs incorporated since April third one thousand eight hundred and fifty-one by special act of Assembly which by the act of incorporation have been given the general powers of boroughs incorporated under the general law and also to all boroughs incorporated under or which have accepted the provisions of the act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. [three hundred and twelve] 312) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" This act shall not annul or repeal any local or special act in force at the date of the passage of this act or any provision thereof nor shall this act repeal any act so far as any such act applies to or may have heretofore applied to any boroughs incorporated under special act of Assembly and to which boroughs as limited by the provisions of this section this act does not apply

The provisions of this act in so as similar provisions of the said act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. [three hundred and twelve] 312) were extended to boroughs acting under local laws shall apply to such boroughs incorporated under local laws

Section 107 Acceptance of Act by Boroughs and Incorporated Towns Any borough or incorporated town incorporated or acting under any local or special act of Assembly may surrender the provisions of its special and local acts in their entirety or so far as they are inconsistent with this act and be governed by the provisions of this act by presenting a petition to the court of quarter sessions of the [proper] county setting forth the desire of such borough or incorporated town to accept the provisions of this act The petition shall also set forth whether it is the desire of the petitioners to surrender all of the provisions of its special and local acts or to retain such provisions of its special and local acts as are not inconsistent with this act Such petition shall be made by the burgess and council or by [twenty-five qualified] at least ten per centum of the registered electors of the borough or incorporated town as of the date the petition is filed

Upon the presentation of the petition the court shall fix a day for hearing of which such notice shall be given as may be directed by the court At such hearing any inhabitant of the borough or incorporated town may remonstrate against the granting of the petition and the court may grant or refuse the petition as to it appears just and proper

If the court grants the petition the decree of the court shall be recorded in the office for the recording of deeds

and thereafter the borough or incorporated town shall be subject to all the provisions of this act and any such incorporated town shall become a borough and the local and special acts of Assembly in force in any such borough or incorporated town shall be annulled in their entirety or so far as they are inconsistent with the provisions of this act as may be set forth in the petition in the particular case. When any incorporated town accepts the provisions of this act the decree of the court permitting such acceptance shall set forth the title of the new borough.

When any borough or incorporated town shall accept the provisions of this act as provided by this section all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such acceptance and all ordinances shall continue with the same force and effect as if no such acceptance had been made.

Section 108 [When Act goes into Effect] Effective Date This act shall go into effect on the first day of July one thousand nine hundred and twenty-seven. This reenactment revision amendment and consolidation of the borough law shall become effective on the first day of July one thousand nine hundred and forty-seven.

Section 109 Publication of Notices Wherever in any of the provisions of this act notice is required to be given in one newspaper in the county such notice shall be published in a general newspaper published within the limits of the borough [or district] affected or if none is published herein then in a general newspaper of the county or adjacent county circulating in such borough [or district] and such notice shall also be published in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements when such notice refers to any proceeding in any court of the holding of elections for the increase of indebtedness or the sale of bonds unless such publication [be] is dispensed with by special order of the court.

Section 110 Terms of Existing Officers Saved This reenactment revision amendment and consolidation of the borough law shall not be construed as affecting or terminating the term of any officer of a borough holding office at the time the same becomes effective.

Section 111 Definitions As used in this act unless the context clearly indicates otherwise the following words and terms shall be construed as follows:

"Corporate authorities" or "corporate officers" means the borough council even though the action taken is by ordinance which is subject to the approval or veto of the burgess.

"Street" means and includes any street road lane court alley and public square.

"Highway" means a state highway of the Commonwealth of Pennsylvania.

Article II

Creation of Boroughs

(a) Incorporation of Boroughs

Section 201 Towns and Villages [and certain townships of the first class] may be incorporated. The courts of quarter sessions may incorporate any town or village or any two or more towns or villages [or any township of the first class having a population of eight thousand or more] within their jurisdiction into a borough. Every town or village [and every such township of the first class] or towns or villages so incorporated shall be a body corporate and politic by the name which shall be [given] decreed by the court.

Section 202 Applications for Incorporation The application for incorporation shall be [either] by a petition signed by a majority of the freeholders residing within the limits of the proposed borough which signatures must be secured within three months immediately preceding the presentation thereof to the court [or by petition presented by the township commissioners of a township of the first class having a population of eight thousand or more in pursuance of a resolution duly adopted thereby a certified copy of which shall be presented to the court and filed

with said petition] Such petition shall be subscribed by and sworn to by at least one of the signers. The number of signers required to the petition shall be ascertained as of the date the petition was presented to court.

Section 203 Contents of [application] Petition The [application] petition shall set forth the [title] name of the proposed borough with a particular description of the boundaries thereof exhibiting the courses and distances [in words at length] and be accompanied with a plot of the same.

Section 204 Filing of [application] Petition Notice Decree costs Upon presentation to the court the [application] petition shall be filed with the clerk and notice thereof shall be given in one newspaper in the county and in the legal journal if any for a period of not less than thirty days immediately [before the next regular term] following the filing thereof during which time exceptions may be filed to the [application] petition by any person interested. The notice shall be published once a week for four consecutive weeks. The notice shall state when and where the petition was filed and the time during which exceptions may be filed to the petition. The court [at said term] if it shall find after hearing that the conditions prescribed by this article have been complied with may grant the prayer of the petitioners and make a decree accordingly but if the court shall deem further investigation necessary it may make such order thereon as to right and justice shall appertain. The [application] petition and decree shall be recorded in the recorder's office of the county at the expense of the [applicants] petitioners who shall also pay all other expenses and costs in connection therewith [except in cases where the township commissioners of any township of the first class having a population of eight thousand or more shall have instituted such proceedings of their own motion all the costs and expenses of such proceedings or pertaining thereto shall be paid out of the general funds of the township].

Section 205 When Borough Government Becomes Effective When the [application] petition and decree have been recorded such [part of a township or townships] town village or towns or villages shall become an incorporated borough and shall be entitled to the several rights privileges and immunities conferred by this act subject however to the provisions of section two hundred eleven of this act [as hereinafter amended].

Section 206 Exclusion of Farm and Unsettled Lands When in any [application] petition for the incorporation of a borough the boundaries fixed by the petitioners shall embrace lands exclusively used for the purpose of farming or other large and unsettled lands the court may if it deem such land does not properly belong to the proposed borough at the request of [the] any party aggrieved change the boundaries so as to exclude therefrom the land used for farming or such other purposes.

Section 207 Corporate Name The corporate name of boroughs incorporated under this act shall be "The Borough of"

Section 208 Requisites of Charter The decree of the court shall constitute the charter of the borough. All charters granted under this act shall set forth:

First The corporate name of the borough.

Second The boundaries thereof.

Section 209 Appeals to Superior Court An appeal to the Superior Court may be had in the manner provided by law for appeals to said court from any decree incorporating a borough [within three months from the date of such decree] by [not less than three persons] any person aggrieved thereby.

Section 210 Certificates of Clerk of Court Fees Penalty [The] When a borough is created the clerk of the court of quarter sessions in each county within thirty days shall certify to the Department of Highways and to the Secretary of Internal Affairs [the establishment of all new boroughs within said county certification to be made within thirty days after the establishment of] a copy of

the decree of court incorporating such borough For such services the clerk shall be allowed a fee of three dollars and fifty cents (\$3.50) to be paid as part of the cost of the proceeding [For each certification furnished under the preceding provisions of this section the clerk of the court of quarter sessions shall receive the sum of three dollars and fifty cents (\$3.50) to be paid by the State Treasurer upon warrant from the Auditor General out of moneys not otherwise appropriated]

[The failure or neglect of any] Any clerk of the court who shall fail neglect or refuse to furnish such [certification to the Department of Highways] certifications or either of them as herein provided shall [be deemed a misdemeanor and] upon conviction [any such clerk shall be punished by] in a summary proceeding to pay a fine of not more than fifty dollars [(\$50)]

[The clerk of the court shall also furnish a certified copy of the final decree to the Secretary of Internal Affairs of the Commonwealth for which service he shall receive a fee of one dollar (\$1) to be paid as part of the costs of the proceeding]

Section 211 Existing Government Preserved Temporarily Organization of Borough The [charters of the] said town village or towns or villages [or township of the first class or whatever powers of government apply thereto] shall continue [in full force and operation and] to be governed as before said incorporation [all officers under the same shall hold their respective offices] until the first Monday of January following the municipal election next succeeding occurring at least ninety days after the issuance of the final decree establishing such new borough at which time the officers of said borough chosen in accordance with section eight hundred five of this act at [the preceding] such municipal election shall enter upon their respective terms of [service] office and the borough government shall be duly organized under this act

[Whenever in the organization of the borough government of any newly established borough any person is elected by council to any office for which this act provides a definite term and fixes a definite time for the election of persons thereto the persons so elected shall serve only for such time as intervenes between his election and the next ensuing day fixed by this act for the election of such officer]

Section 212 Marking Borough Boundaries The boundaries of the borough shall as soon as practicable after its incorporation be appropriately marked due notice being first given to the commissioners and supervisors of adjoining townships and to the corporate authorities of adjoining municipalities

(b) Consolidation of Boroughs

Section 215 Adjacent Boroughs may be Consolidated Whenever two or more boroughs situate in the same county or in different counties shall be adjacent and of compact territory they may be consolidated into one borough

Section 216 Joint Agreement for Consolidation Decree of Court Such consolidation shall be made under the following conditions

(a) The councils of the boroughs may of their own initiative or shall within sixty days after each is requested in writing by at least [one hundred qualified] ten per centum of the registered electors of the respective borough enter into a joint agreement under the corporate seal of each borough for the consolidation thereof into one borough The joint agreement shall set forth the name of the new borough the number of wards if any into which the borough is to be divided and the territorial boundaries thereof Where such agreement provides for wards if the consolidation becomes effective two councilmen shall be elected in each ward It may also set forth such terms as have been agreed upon for the disposition of the assets of each of the boroughs and for the liquidation of the indebtedness of each of the boroughs either jointly separately or in certain defined proportions and the ad-

justing and paying of the same by separate rates of taxation on all property subject to taxation within the boundaries of such boroughs respectively

(b) If the councils are unable to effect such joint agreement within sixty days after each shall [be] have been requested so to do in writing as aforesaid or if for any reason the councils fail to effect such joint agreement within said sixty-day period the court of quarter sessions of the county or of any of the counties in which any of said boroughs are situate shall if satisfied after petition or petitions presented by at least ten per centum of the [qualified] registered electors of each borough and heard thereon that the councils have failed after being duly requested in writing as aforesaid to enter into such joint agreement enter a decree for an election to be held in said boroughs on the question of consolidation of said boroughs into one borough [-the] The decree [to] of the court shall fix the date for such election designate the name of the new borough (which name shall be ascertained for in the petition or petitions) the number of wards any into which the consolidated borough is to be divided the territorial boundaries thereof and for the election of two councilmen in each such ward and shall also set forth such terms as appear equitable just and proper to the court for the disposition of the assets of each of the boroughs and for the liquidation of indebtedness of each of the boroughs either jointly separately or in certain defined proportions and the adjusting and paying of the same by separate rates of taxation on all property subject to taxation within the boundaries of such boroughs respectively

The court shall direct the county [commissioners] board of elections to furnish to each election district in such boroughs the necessary ballots and supplies for such election

On presentation of such petition or petitions the court shall fix a date for hearing which shall be held within thirty days from the date of presentation of the petition or petitions Notice of the time and place of the hearing shall be given by the [president and] secretary of each of the boroughs at least fifteen days before the date fixed for the hearing in such manner as may be provided by order of court

The petition or petitions aforesaid may be presented to court at any time after councils have failed to enter into a joint agreement in response to the written request aforesaid [within the sixty-day period aforesaid]

Section 217 [Election] Elections on Question of Consolidation The question of the consolidating of such boroughs shall be submitted to the vote of the [qualified] electors of each of the boroughs at a special election to be held on the day to be designated in the joint agreement or in the decree of court as the case may be Such election shall be held on the day of any general municipal or primary election The election shall be held by the legal election officers and in accordance with the provisions of the laws regulating general elections [If such special election shall be ordered within ninety days of any general or municipal election the election shall be held on the day fixed for the holding of such election] Notice of such election shall be given [by proclamation by the high constables of the respective boroughs in the manner prescribed for proclamations for elections for municipal officers] in such manner as may be prescribed by the court

The election shall be by ballot [which shall be marked] "Proposed consolidation" and below shall be printed the words "For consolidation" and "Against consolidation" and the elector shall designate with an "X" his desire to vote for or against such consolidation and the question to be submitted shall be framed by the County Board of Elections in the manner provided by the Pennsylvania Election Code

If the majority of the votes cast [for and against the proposed consolidation] on the question submitted at such election in each of the boroughs is in favor of the consolidation of the [two] boroughs that fact shall be certified to the council of each of the boroughs by the [respective]

election boards or return judges] County Board of Elections and the burgess and secretary of the respective boroughs shall cause a certification of the result to be endorsed upon the said agreement if the councils have entered into an agreement or if not then on a certified copy of the decree of court

Section 218 Agreement or certified copy of decree to be [filed with Secretary of Commonwealth letters patent] recorded effect thereof The agreement or a certified copy or copies thereof with all its endorsements or a certified copy of the decree of the court of quarter sessions with all its endorsements shall be [filed in the office of the Secretary of the Commonwealth Upon the filing thereof the Governor shall cause letters patent to be issued under the great seal of the Commonwealth consolidating the boroughs into one corporation by the name set forth in the joint agreement or decree of the court of quarter sessions A copy of such agreement or of such decree duly certified by the Secretary of the Commonwealth under the seal of his office shall be evidence of the existence of the new borough] recorded in the office for the recording of deeds in said county or counties and when so recorded shall constitute the charter of the consolidated boroughs

Section 219 Payment of costs and expenses All costs and expenses incurred in such consolidation or proposed consolidation except those incurred in any general [or] municipal or primary election at which the question of consolidation is submitted shall be paid by the consolidated borough if such consolidation takes place and if not such costs and expenses shall be paid in equal shares by each of the boroughs proposing to consolidate

Section 220 Effect of Consolidation [Upon the issuance of letters patent the several boroughs shall be a borough under the name provided in the agreement] The ordinances in force in each of such boroughs at the time of such consolidation shall continue in force throughout the territory for which they were originally enacted until altered or repealed by the council of the consolidated borough All rights privileges and franchises of each of the boroughs and all the property real personal and mixed and all debts due on whatever account and other things in action belonging to each of such boroughs shall be vested in the new borough The title to real estate vested in either of such boroughs shall not revert or be in any way impaired by reason of such consolidation All rights of creditors and liens shall be preserved and all debts liabilities and duties of either of such boroughs shall attach to such new borough and be enforced against it

Section 221 Jurisdiction over Consolidated Boroughs Any borough formed by the consolidation of boroughs situate in different counties shall be governed for borough and school purposes as one borough and for county and poor] institution district purposes as a part of the county and [poor] institution district in which the territory is actually situated in accordance with [the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 903) entitled "A supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 312) 'An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs' so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws" providing for the government of boroughs where land lying in one county is annexed to a borough situate in another county] existing laws

Section 222 Existing Governments Preserved Temporarily The boroughs so consolidated shall continue to be governed as before consolidation until the first Monday

of January following the municipal election next succeeding occurring at least ninety days after the agreement or certified copy of the decree of court has been filed for recording at which time the officers of the consolidated borough chosen in accordance with section 805 of this act at such municipal election shall enter upon their respective terms of office and the borough government of the consolidated borough shall be duly organized under this act and the former borough governments shall cease to exist

(c) [Re-Establishment of Boroughs] Creation of Boroughs from Cities of the Third Class

Section 225 [Petitions to re-establish boroughs forming part of third class cities Where cities of the third class have been formed by joining together two or more boroughs the court of common pleas upon the petition of not less than one-third of the registered electors of the territory formerly comprised within the limits of either of such boroughs setting forth that the inhabitants of such territory wish to separate from the city and establish a borough organization may appoint three commissioners who shall investigate the facts set forth in such petition and report to the court as to the expediency of granting the prayer of the petitioners] petition for creation of borough from a city of the third class The court of quarter sessions shall upon petition of at least ten per centum of the registered electors of any city of the third class setting forth that the inhabitants of the city desire to change the charter of such city to a borough charter and be governed by the laws of the Commonwealth relating to boroughs and that such city has had the city form of government for a period of at least five years order an election to be held on the next day appointed for the holding of a general municipal or primary election occurring at least ninety days after the presentation of such petition At such election the electors shall vote for or against the change of the charter of the city to a borough charter and the adoption of the borough form of government The petition shall set forth the name of the proposed borough The number of registered electors required to sign the petition shall be determined as of the date the petition is filed

Section 226 [Report of commissioners If the commissioners report in favor of setting off the territory from the city they shall accompany their report with a plot of such territory formerly comprising said borough or any such part thereof as may be described in the petition] Filing petition notice of election return Upon the presentation of any such a petition the court shall determine whether the petition is in due form and properly signed and if the court so finds it shall enter an appropriate order and direct that the petition shall be filed with the clerk of the court and that a copy of the petition and order of court shall be filed with the county board of elections The county board of elections shall frame the proper question to be submitted to the electors at the election ordered by the court Notice of such election shall be given in at least one newspaper of general circulation of the proper county once a week for four consecutive weeks of the time of such election and the purpose thereof The publication of the notice shall be made on behalf of the petitioners and shall be in form as the court may approve

The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of quarter sessions which return shall be filed with the petition If a majority of those voting on the question submitted were in favor of the change of the charter of the city to a borough charter the court shall order that the record of the proceedings be recorded in the office for the recording of deeds of the county which record shall constitute the charter of the borough under the name set forth in the petition If a majority of those voting on the question were against the change of the city charter no further proceedings shall be had and the same question shall not again be submitted for a period of five years following such election

Section 227 [Vote on separation The court shall there-

upon order an election to be held on the next appointed day for the holding of a general or municipal election at which time the qualified electors within such territory shall vote for or against such separation. When borough government effective. Upon the recording of the record of the proceedings as above provided the city form of government shall continue in operation until the first Monday of January next succeeding the first municipal election occurring at least ninety days after the recording of the record at which time the borough government shall be organized by the officers elected at said municipal election in accordance with section 805 of this act.

Section 228 [Decree of court appointment of borough officers. If a majority of votes cast for and against such separation at such election shall be in favor of such separation the court shall make a decree declaring such territory a borough and appoint one person qualified to serve as a member of the Senate of this Commonwealth to be the burgess of such borough and seven persons qualified to serve as Members of the House of Representatives of this Commonwealth to constitute the council thereof. Such officers shall hold their respective offices until the first Monday of January next succeeding the municipal election at which a burgess and council are to be elected as provided in article eight of this act.] Property assets liabilities ordinances wards elections districts and certain officers. Upon the formation of the borough government all of the property and assets of the city shall become the property of the borough and such change of government shall not in any way affect any liabilities incurred rights accrued or vested obligations issued or contracted or any suits or prosecutions pending or instituted to enforce any right or penalty accrued or punish any offense committed prior to such change. All ordinances of the former city shall continue in force in the new borough until altered or repealed in the manner provided by law. The wards and election districts of the city shall become the wards and election districts of the borough until altered or changed as may be provided by law. And in the election of councilmen from the several wards two councilmen shall be elected from each ward unless thereafter changed as provided by law. All constables aldermen and election officers in office in the city when the borough government is organized shall remain in office until the expiration of their respective terms of office.

Section 229 [When borough government takes effect. From the date of such decree the territory so erected into a borough shall be separate from such city and shall be subject to the provisions of this act. The prothonotary shall furnish a certified copy of the decree to the Secretary of Internal Affairs of the Commonwealth for which service he shall receive a fee of one dollar to be paid as part of the costs of the proceeding.] Costs and expenses. Where proceedings are had to change the charter of a city to a borough and the vote of electors is in favor of the change the costs and expenses of the proceeding including all costs of advertising shall be paid by the city otherwise such costs and expenses shall be taxed against the petitioners.

Section 2 Sections 230 235 236 237 238 239 and 240 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed.

Section 3 Sections 301 to 406 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article III

Annulment of [Borough] Charters and Change of Corporate Names

Section 301 Petitions for Annulment of Charters or Change of Corporate Names. The [several] court of quarter sessions [within this Commonwealth] shall [have power] upon petition of [two-thirds] at least ten per centum of the [taxable inhabitants] registered electors of any borough [heretofore incorporated to decree the annulment] setting forth that the inhabitants of such borough desire to annul the charter of the [charter] borough or [the] to change [of] the corporate name of

such borough order an election to be held on the next day appointed for the holding of a general municipal or primary election occurring at least ninety days after the presentation of such petition at which election the electors of the borough shall vote for or against the annulment of the charter or the change of name of the borough as the case may be. In the case of an annulment of charter such petition shall set forth that the petitioners desire that the territory embraced within such borough shall revert to and become a part of the township from which it was taken or that it shall be created a new township of the second class in which case the petition shall also set forth the proposed name of the new township.

Section 302 Filing Petition Notice of Election Return [Exceptions Decree]. Upon presentation of such petition for annulment or change of corporate name to the court and the entry of the court order thereon after determination by the court that the petition is in due form and properly signed it shall be filed with the clerk [and notary thereof] and a copy of the petition and order of court shall also be filed with the county board of elections which shall frame the proper question to be submitted to the electors at the election ordered by the court. Notice of the election shall be given in at least one newspaper of general circulation of the proper county [for a period of] not less than thirty (30) days immediately preceding the date of such hearing and during which time exceptions may be filed to such application by any person interested and at such hearing the court shall make a full investigation of the case and if it shall find that the conditions prescribed by law have been complied with and shall believe that it is expedient to grant the prayer of the application shall grant the same and make a decree accordingly. The said application and decree shall be recorded in the recorder's office of the proper county once a week for four consecutive weeks of the time of such election for the purpose thereof. The publication of the notice shall be made on behalf of the petitioners in form as the court may approve. The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of quarter sessions which return shall be filed with the petition. If a majority of the voting on the question submitted were in favor of the annulment of the charter or the change of the corporate name as the case may be the court shall order that the record of the proceedings shall be recorded in the office of the recorder of deeds otherwise no further proceedings shall be had.

Section 303 Territory to Revert to Township Corporation Name Changed Indebtedness. Upon the recording [and filing of such decree] of the record as above provided in case of an annulment of charter the lands embraced within the limits of such borough the charter of which is annulled shall thereupon in accordance with the prayer in the petition either revert to and become a part of the township from which it was taken and be under its subject to its government and control or shall become a new township of the second class under the name set forth in the decree of court. Provided however That any indebtedness of such borough shall in cases where such borough reverts to a former township in the petition. In cases where a borough reverts to the township from which its territory was taken the government of the borough shall cease and terminate on the first Monday of January next succeeding the election on the question of the annulment of the charter and the property and assets of the borough including all uncollected taxes and liabilities shall be converted into cash by the township supervisor and shall be applied only to the payment of the outstanding indebtedness of the borough but any moneys needed for such purposes shall revert to the township. In any borough indebtedness not paid as above provided shall be paid from the taxes assessed and collected from that portion of said township formerly included within the limits of such borough [And provided That in] In the case of a change of the corporate [title] name the c

ate [title] name of said borough shall [thereafter] from the date of the recording of the record of the proceeding as set forth in said [decree] petition but such change shall not in any way affect any liabilities incurred rights used or vested obligations issued or contracted or any suits or prosecutions pending or instituted to enforce right or penalty accrued or punish any offense committed prior to such change

All costs and expenses incident to the proceedings for annulment of the charter or change of the [title] name as aforesaid shall be paid by the petitioners to the payment of costs and expenses the court may require the petitioners to file a bond in such sum as may fix

Section 304 Officers Where a New Township is Created Where a new township of the second class is created by annulment of the charter of a borough officers for a township shall be provided in the manner provided by the laws relating to townships of the second class for such cases and the new township government shall become effective on the first Monday of January next succeeding the municipal election occurring at least ninety days after the recording of the proceedings at which time officers of the new township shall be elected as provided by the laws relating to townships of the second class for such cases

Article IV

Change of Borough Limits

a) [On Petition of Freeholders] Annexation of Townships of First Class or Parts Thereof

Section 401 [Power to Change Borough Limits] The court of quarter sessions with the concurrence of the grand jury may upon petition change the limits of any borough heretofore incorporated by the court of quarter sessions from a town or village or incorporated under the provisions of this act] petition for annexation of a township of the first class or parts thereof. Registered electors of at least ten per centum of the registered electors of any township of the first class contiguous to a borough or ten per centum of the registered electors residing in any part of a township of the first class contiguous to a borough may petition the council of such borough for the annexation of the township of the first class or part thereof as the case may be to the contiguous borough and a referendum on the question of such annexation. The number of registered electors required to sign a petition shall be determined as of the date the petition is filed. Petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways, municipal improvements and public buildings. All petitions for the annexation of a part of a township of the first class shall include a description of the part of the township sought to be annexed.

Section 402 [Limitation of Power] The provisions of the preceding section do not authorize a change of borough limits by the detachment of territory and its annexation to a contiguous township] Referendum in township and borough. The council of the borough shall cause a question to be submitted at the first general municipal or primary election occurring at least sixty days after the petition has been filed with it by certifying an ordinance adopted to the county board of elections in which part of the township or borough is located for the submission of a proper question on the ballot or on voting machines at such election in such township and in the borough to which the annexation is to be made as provided by the Pennsylvania Election Code. Where a part of a township is involved the question submitted shall be a brief description of the territory to be annexed to the borough.

Section 403 [Notice of Application] Notice of the intended application shall be given in at least one newspaper of the county for a period of not less than thirty days immediately before the presentation of the petition] Return of election. If a majority of the persons voting on

such question in the entire township and a majority of the persons voting on such question in the borough shall vote in favor of the annexation then the township of the first class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the borough. If the majority of the votes cast on the question in either the entire township or in the borough was against annexation then the annexation proceeding shall fail and the question of such annexation shall not again be voted upon for a period of two years from the date of such election.

Section 404 [Signing Petition Contents] The petition shall be signed by a majority of the freeholders residing in the borough within three months immediately preceding its presentation to the court. It shall set forth a description and be accompanied with a plot showing the courses and distances of the boundaries of the borough before and after the proposed change of limits] Wards. Until changed in the manner provided by law the township of the first class or part thereof annexed to the borough if not divided into wards shall constitute a separate new ward of the enlarged borough if such borough is at the time divided into wards. If the township or part of the township at the time of annexation was divided into wards then each ward of the township or part of the township shall constitute a separate ward of the enlarged borough (if divided into wards) and shall be consecutively numbered or otherwise appropriately designated by the council of the borough.

Section 405 [Petition to Be Laid Before Grand Jury] The petition except as provided in section four hundred and two of this article shall be laid before the grand jury of the same term of court when presented whenever the same can be conveniently done and in no case later than the next subsequent term of court] Election districts and election officers. Until changed in the manner provided by law all election districts in the former township of the first class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged borough. All election officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law.

Section 406 [Action of Grand Jury Decree of Court] If the grand jury shall believe it expedient to grant the prayer of the petitioners they shall certify the same to the court. The certifications shall be entered of record and no further proceedings had until the succeeding term of court at which term the judgment of the grand jury may be confirmed. If the court shall deem further investigation necessary it may make such order as to right and justice shall appertain. If the court shall grant the prayer of the petitioners the petition and decree shall be recorded in the recorder's office at the expense of the petitioners who shall pay all other expenses and costs in connection with said petition and decree] Government where lands lie in two or more counties. If the lands annexed to the borough are located in a county or counties different from that of the borough they shall be governed for borough purposes as part of the borough to which annexed and for county and institution district purposes as part of the county and institution district in which actually situated in the manner provided by law in such cases.

Section 4 Sections 407 and 408 of said Act of May 1927 (P. L. 519) are hereby repealed.

Section 5 Sections 410 to 432 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows:

(b) [By annexation on Petition of Freeholders Outside the Borough] Annexation of a Township of the Second Class or part thereof by petition to court.

(1) Where Territory is in One County

Section 410 Annexation by Court [with concurrence of Grand Jury] Decree. The court of quarter sessions [with the concurrence of the grand jury] may upon petition

change the limits of any borough by the annexation of adjacent territory located in a township of the second class

Section 411 Notice of Application Personal notice of the intended application shall be given to the burgess and council of the borough and to the [commissioners or] supervisors of the township in which the petitioners reside Notice of such application shall also be given in one newspaper of general circulation of the county [for a period of thirty days] immediately before the presentation of the petition by publication once a week for four consecutive weeks

Section 412 Signing and Contents of Petition Where the territory to be annexed is all or part of a second-class township the petition shall be signed by a majority in number of all of the freeholders [residing within such] of the territory to be annexed [Where the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the resident freeholders and by the owners of three-fourths of the assessed valuation of the real estate of the territory to be annexed It] The petition shall set forth a description of the territory to be annexed and be accompanied with a plot showing the courses and distances of the boundaries of the borough before and after the proposed annexation

Section 413 [Certificate of Grand Jury] Decree of Court Costs Limitation of Subsequent Proceedings [The court shall cause the petition to be laid before the grand jury and if the grand jury shall believe it expedient to grant the prayer of the petitioners they shall certify the same to the court which certificate shall be entered of record for confirmation by the court] The court after hearing may make such order [thereon] on the petition as to right and justice shall appertain If the court shall confirm the petition the said petition and decree shall be recorded in the recorder's office of the county at the expense of the petitioners who shall pay all other expense and costs in connection with said petition and decree Thenceforth the territory so annexed shall be a part of the borough and shall become a part of the contiguous ward or wards of the borough or constitute a new ward or wards of the borough as the court in its order may prescribe If [the grand jury shall not approve or] the court shall not confirm the petition no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereafter

(2) Where Territory is in Two or More Counties

Section 415 Petition for Annexation The court of quarter sessions may upon petition annex to any adjacent borough territory in a township or townships of the second class situated in [two or more counties] a county or counties different from that of the borough

Where the territory to be annexed is all or part of a second-class township the petition shall be signed by a majority in number of all of the freeholders [residing within such] of the territory to be annexed [Where the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the resident freeholders and by owners of three-fourths of the assessed valuation of real estate of such territory] and shall be presented to the courts of quarter sessions of all the counties in which the territory to be annexed and the borough are situated

Section 416 Notice of Application Notice of the intended application shall be given in one newspaper of general circulation in the territory to be annexed and in the borough [for a period of thirty days] immediately before the presentation of the petition to any of the courts by publication once a week for four consecutive weeks

Section 417 Appointment of Commissioners View Report Upon presentation of the petition the several courts shall each appoint one person as commissioner and the commissioners so chosen shall select an additional one who shall be a surveyor or registered engineer

The commissioners shall be severally sworn or affirmed within sixty days from their appointment and selection and shall view the territory sought to be annexed They shall report to the several courts [at the respective terms next following such appointment or] as soon thereafter as possible The report shall state that the commissioners were sworn or affirmed and that they were present at the view If the commissioners favor the proposed annexation they shall accompany their reports with a plot showing the courses and distances of the boundaries of the territory proposed to be annexed and the quantity of land therein contained and the ward or wards of the borough of which such territory shall be a part and that it shall constitute a new ward or wards

Section 418 Rules on Petitioners Any person interested may petition any of the courts [at the term to which the respective report is made] for a rule on [any two or more] persons signing the original petition the petitioners to show cause why the report should not be approved The rule shall be returnable [not later than the succeeding term] within such time as the court may fix If the rule is confirmed the persons signing the original petition shall pay the costs of the entire proceedings if such rule is discharged the costs shall be paid by those petitioning for it issue

Section 419 Approval by Court Compensation of Commissioners Limitation of Subsequent Proceedings If each of the courts shall approve the report of the commissioners the whole proceeding shall be entered on the record of each court and the territory annexed shall be a part of the borough Each commissioner shall receive [five dollars per day for each day necessarily employed in the discharge of his duties] such compensation for his services as the court shall allow to be paid [if such territory is annexed by the borough] by the original petitioners If the commissioners shall not favor or if either court shall not approve the annexation no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereof

Section 420 Government of Territory Where [lands are] territory is so annexed to a borough of an adjoining county such [lands] territory [which are] so annexed shall be governed for borough [and school] purposes as part of the borough to which they are annexed and for county [and poor] and institution district purposes as part of the county [and poor] and institution district which actually situated in the manner provided by [an act approved June 28 1923 (P. L. 903) entitled "A supplement to an act approved May 14 1915 (P. L. 312) entitled "An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs" so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens in the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws"] law in such cases

(c) [By] Annexation [on] of lands in Townships of the Second Class by Petition to Council

Section 425 Annexation Ordinance Limitation of Subsequent Proceedings Any borough may by ordinance annex adjacent land situate in a township of the second class in the same or any adjoining county upon petition of freeholders as follows If the territory to be annexed is all or part of a second-class township the petition shall be signed by a majority in number of all of the freeholders of [such] the territory to be annexed [If the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the freeholders and by the owners of three-fourths of the assessed valuation of the real estate of the territory proposed to be annexed Provided that if] If an ordinance

such annexation is defeated no other proceeding shall be had within five years thereof [The requirements of this section concerning signing of petitions shall apply to proceedings pending at the time such requirements became a part of the section as well as to subsequent proceedings]

Section 426 Procedure A certified copy of [the] any plan adopted together with a description and a plot showing the courses and distances of the boundaries of the borough before and after such proposed annexation shall be filed in the court of quarter sessions of the county or in the case the land proposed to be annexed is situated in an adjacent county then in the courts of both counties A copy of such filing shall also be filed in the office of the county [commissioners] board of elections of the proper county Thereupon the territory proposed to be annexed shall be a part of the borough except when any ordinance providing for a plot are filed in the office of the clerk of the court of quarter sessions within two months of any general municipal or primary election in which case the property proposed to be annexed shall not become a part of the borough until the day succeeding such election

Section 427 Government of territory Where [lands are] territory is annexed to a borough of an adjoining county [lands which are] territory so annexed shall be governed for borough [and school] purposes as a part of the boroughs to which [they are] it is annexed and for city and [poor] institution district purposes as part of the county or [poor] institution district in which actually situated in the manner provided by [the act approved twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 903) entitled "A supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 312) entitled "An act providing a system for government of boroughs revising amending and consolidating the law relating to boroughs" so as to provide a system of government for a borough now has annexed or hereafter shall ex land in an adjoining county including assessment property levying and collection of taxes making mutual improvements and filing and collecting of liens the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws"] law in such cases

(1) [By] Detachment of Territory

(1) Where it is Annexed to a Contiguous Township]

Section 430 Petitions to detach territory The court of quarter sessions upon petition may change the limits of a borough by detaching territory therefrom and annexing the same to a contiguous township or [townships] though in cases where the line between a borough and township or another borough shall separate the lands of any person or where the territory of any borough is divided by reason of natural or artificial causes or where a part of a borough is so located that access to the adjoining portion can be had only by passing through the other township or borough

Section 431 Signing and contents of petition The petition shall be signed by a majority in number of the freehold residents of the borough except where the dividing line between a borough and a township shall separate the lands of any person in which case the petition may be made by any freeholder whose lands are divided] freeholder in the territory to be detached the petition shall contain the names of the contiguous township or [townships] borough to which the territory proposed to be annexed and shall set forth a description of the territory to be detached and be accompanied by a plot showing the courses and distances of the boundaries of such township or [townships] boroughs before and after the [proposed change of limits] annexation of the detached territory

Section 432 Filing petition notice decree Upon its presentation the court shall order the petition filed and

shall fix a time for hearing Notice of the filing of the petition shall be given to the supervisors of the [townships] township and to the secretary of the borough and president of council of each borough affected at least twenty days prior to the date of hearing If after hearing the court shall determine in favor of the proposed detachment of territory it shall state in its decree to what adjacent township or [townships] borough the territory so detached shall be annexed The petition and decree shall be recorded in the office for the recording of deeds of the county [at the expense of the petitioners] and thenceforth the boundaries of the borough and of the adjacent township or [townships] borough shall be as decreed by the court The costs of the proceedings including the cost of the recording of the petition and decree shall be paid by the petitioners

Section 6 Subheading (2) of subdivision (d) of article IV and Section 435 436 437 and 438 of said act are hereby repealed

Section 7 Article V and Sections 501 to 508 inclusive of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article V

Borough Boundaries

Section 501 Stream Boundaries Whenever any borough is bounded by the nearest margin of a navigable stream and [an] the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the [boundaries of such borough shall extend to the center line of the stream] middle of such stream shall be the boundary between such borough and the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 502 [Court to establish] Establishment of disputed boundaries The court of quarter sessions may upon presentation of a petition [may] (a) alter the lines of a borough and any adjoining township borough or city so as to suit the convenience of the inhabitants thereof (b) cause the lines and boundaries of boroughs to be ascertained and established and (c) ascertain and establish disputed boundaries between two or more boroughs between boroughs and cities or between boroughs and townships When any such petition is presented the court may require the petitioners to file a bond in sufficient sum to secure the payment of all costs of the proceeding

Section 503 Petition to court commissioners report Upon [such] application by petition the court shall appoint as commissioners three impartial men one of whom shall be a surveyor or registered engineer to inquire into the prayer of the petition After giving notice to parties interested as directed by the court [they shall] the commissioners shall hold a hearing and view the [disputed] lines and boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered ascertained and established if the same cannot be fully designated by natural lines and boundaries The commissioners or any two of them shall make report [to the next succeeding term of court which report shall contain their recommendations and be accompanied with a plot of the proposed boundary if the same cannot be fully described by natural lines] to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 504 [Reviews exceptions and issues Any person interested may petition the court for a review or may except to the report of the commissioners When matters of fact are in dispute the court may frame an issue and certify the same for trial to the court of common pleas] exceptions and procedure Exceptions to any such report may be filed by any person or political subdivision interested within thirty days after the filing of the report

and the court may thereupon fix a day for the hearing of such exceptions of which such notice shall be given as the court may direct. After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or to refer the report back to the same or new commissioners with like authority to make another report on which like proceedings may be had. Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely. When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report.

Section 505 [Pay] Compensation and Expenses of commissioners Costs [The commissioners shall each receive three dollars per day except the surveyors who shall receive five dollars per day for each day necessarily employed in the performance of their duties and mileage at the rate of ten cents per mile for each mile necessarily traveled.] The compensation and expenses of commissioners appointed to alter or ascertain and establish borough boundaries shall be in an amount approved by the court. The court shall by its order provide how the costs and expenses of such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners the borough township or municipality interested or any of them.

Section 506 Boundary Monuments Whenever [a boundary is established pursuant to the preceding sections of this article] any such borough line is altered or ascertained and established the court shall cause the same to be appropriately marked [with stone monuments placed at intervals not exceeding fifteen hundred feet and the expense of establishing said boundary and the placing of said monuments when approved by the court shall be borne equally by the municipalities or townships interested].

Section 507 Boundary line between boroughs Whenever the dividing line between two adjoining boroughs is uncertain or whenever adjoining boroughs desire that the dividing line should be changed or whenever the dividing line between adjoining boroughs situate in the same county separate the property of the same owner into two or more parts the borough councils may declare and fix such boundary line or may change the same in the manner hereinafter set forth. Where the proceeding involves borough lines separating the property of an owner the consent of such owner shall be secured to the change of the boundary.

Section 508 Ordinances fixing lines between boroughs plots to be filed [Such] In the case of proceedings under the section immediately preceding the dividing line shall be determined and fixed or changed by ordinance passed by the councils of each borough [by the affirmative votes of not less than two-thirds of all the members elected to each of the councils and approved by the respective burgesses]. A plot showing such dividing line and the changes in the same together with certified copies of the ordinances [authorizing the action taken] shall be filed in the office of the clerk of the court of quarter sessions within thirty days after the approval of the last ordinance relating to the matter.

Section 8 Sections 509 and 510 of said act of May 4 1927 (P. L. 519) are hereby repealed.

Section 9 Sections 601 to 607 inclusive of said act of May 4 1927 (P. L. 519) as existing prior to the amendment of May 7, 1943 (P. L. 252) are hereby reenacted revised and amended to read as follows

Article VI

Borough Wards

Section 601 Power of court to erect and change wards and to alter and establish lines The court of quarter sessions upon petition may divide boroughs into wards erect new wards [consolidate two or more wards into one ward] out of two or more adjoining wards or parts thereof

[attach land annexed to a borough to an adjacent ward or wards] consolidate two or more wards into one ward divide any ward already erected into two or more wards [or] alter the lines of any two or more adjoining wards [and may] or cause the lines or boundaries of wards to be ascertained and established.

Section 602 Signing petition appointment of commissioners report The petition shall be [signed by twenty freeholder residents of the borough or of the ward presented by the council of the borough pursuant to a resolution of the council or by at least five per centum of the registered electors of the borough or of the ward or wards whose limits it is proposed to change as the case may be. Upon its presentation the court shall appoint three impartial men as commissioners to inquire into the propriety of granting [its prayers] the prayer in the petition. The commissioners or any two of them shall make a report to the [next term of the] court within sixty days after their appointment and shall accompany it with a plot showing the [boundary] boundaries of the [borough] and proposed wards of the borough or the wards before and after the proposed change as the case may be whenever the same cannot be fully designated by natural lines.

Section 603 Confirmation of Report Review [The] Upon its presentation the court shall confirm the report nisi which confirmation shall become absolute unless exceptions are filed [before the third day of the term next succeeding] thereto and shall direct that notice of the filing of the report shall be given by publication once in a newspaper of general circulation stating that exception may be filed to such report within thirty days after the same was filed. The court shall confirm the report absolutely if no exceptions are filed or if it dismisses the exceptions. The court may [grant] remand the report to the Commissioners for a review if in its opinion a better adjudication may thereby be secured [upon a petition presented before the third day of such succeeding term].

Section 604 Compensation of Commissioners The commissioners shall each receive [three dollars per day except a surveyor who shall receive five dollars per day for each day necessarily employed in the discharge of their duties and mileage at the rate of five cents per mile for every mile necessarily traveled] such compensation for their services as the court shall fix.

Section 605 Payment of Costs Bond Such compensation and all costs and expenses incurred in such proceeding shall be paid [by the county during the term of court to which the report is made to be reimbursed] by the borough or the petitioners as directed by the court. To secure such reimbursement the court may require the petitioners other than the borough council to file a bond with their petition [All other costs and expenses incurred in the erection division or alteration of wards shall be paid by the petitioners without liability upon the county].

Section 606 Terms of Officers [Officers] Whenever the court shall divide any borough into wards it shall appoint for each ward a judge and two inspectors of election to hold elections until such officers may be elected as provided by law. In all other cases officers in office at the time [of] any changes are made pursuant to the preceding sections of this article shall remain in office until the expiration of the terms for which they have been elected. In case any vacancy shall occur the same shall be filled by the council until the first Monday of January next succeeding the election at which such officers are to be elected as provided in article eight of this act.

Section 607 Change of Names and Numbers Borough may by ordinance change the name of any ward to number or change the number of any ward to name. No such ordinance shall go into force until a certified copy thereof is filed with the clerk of the court of quarter sessions.

Section 9.1 Sections 701 to 708 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article VII

Adjustment of Indebtedness

(a) When Borough Incorporated [from a Township] or Territory Attached

Section 701 [Boroughs to Share in Indebtedness When Incorporated Whenever a township is merged into one or more boroughs or whenever a borough is erected out of a township or parts of adjoining townships every such borough shall have in just proportion in the rights and liabilities of such townships existing at the time of its incorporation In all pending actions and actions thereafter brought by or against such townships the borough liable or entitled shall by order of court be made party plaintiff or defendant as the case may be Indebtedness where entire township annexed Where an entire township is annexed to a borough all of the indebtedness of the township as well as the indebtedness of the borough shall be paid by the borough as enlarged by the annexation All taxes thereafter levied to pay such indebtedness shall be uniform throughout the territorial limits of the enlarged borough

Section 702 [Court to Adjust Indebtedness in Bill in Equity Whenever any borough has been erected out of a township or whenever any township has been merged into more than one borough the court of common pleas upon application by a bill in equity of any creditor of such townships or of the authorities of any such township or borough may ascertain the indebtedness of such townships including judgments against the same at the time of the incorporation of such boroughs respectively and may equitably adjust such indebtedness between such townships and boroughs and between the several boroughs into which any township shall have been merged and shall decree the proportion of such indebtedness which each township and borough shall pay In making such adjustment the township taxes then unexpended shall be taken into account] Agreement to adjust indebtedness where borough created or territory annexed thereto Whenever a borough is created out of a township or whenever a part of a township is annexed to a borough the commissioners or supervisors of the township and the council of the borough may make a just and proper adjustment and apportionment of all the public property owned by the township at the time of the incorporation of the borough or the annexation of territory from the township to the borough both real and personal including funds as well as indebtedness between the borough and township In making such adjustment and apportionment the township and borough shall be entitled respectively to share in a division of the property and indebtedness in proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the lands included within the territorial limits of the newly incorporated borough or to the assessed valuation of the lands annexed to the borough as the case may be Provided however that where indebtedness was incurred by the township for an improvement located wholly within the territorial limits of the newly incorporated borough or wholly within the limits of the territory annexed to the borough as the case may be such indebtedness shall be assumed by the borough and where any part of such improvement is located within the newly incorporated borough or within the part of the township annexed to the borough the part of such indebtedness representing the part of the improvement located within the borough or annexed territory shall be assumed by the borough and the adjustment and apportionment of any remaining debt and the public property of the township shall be made as above provided

The adjustment and apportionment as made shall be reduced to writing and shall be duly executed and acknowledged by the secretary or clerk of the township and borough and shall be filed in the office of the clerk of quarter sessions of the county

Section 703 [Assessment to Furnish Basis of Adjust-

ment The adjustment shall be based upon the assessments of the townships for the year in which such boroughs were incorporated In ascertaining the indebtedness neither pending actions nor claims against such township founded on tort shall be included unless the same shall in the meantime have been prosecuted to final judgment] Judicial adjustment on failure of agreement In case the township and the borough authorities cannot make an amicable adjustment and apportionment of the property and indebtedness within six months after the government of the newly incorporated borough is established or the territory has been annexed to a borough as the case may be then the commissioners or supervisors of the township or the council of the borough may present a petition to the court of quarter sessions asking for the appointment of an auditor not residing in the township or borough who after hearing notice of which shall be given to the township and borough as the court shall direct shall make report to the court making an adjustment and apportionment of all the property as well as the indebtedness between the township and the borough The report shall state the amount that shall be due and payable from the borough to the township or from the township to the borough and the amount of indebtedness that shall be assumed by the borough or the township

In making such adjustment and apportionment of indebtedness the auditor shall take into consideration all of the elements set forth in the section immediately preceding

Section 704 [Notice Claims Barred Three months' notice shall be given by order of court to all persons having claims against any of such townships to present the same on or before the day therein named All persons failing to present their claims shall be forever debarred from enforcing collection of the same The notice shall be published in not less than two newspapers of the county] proceeding on judicial adjustment award The auditor shall give the township and the borough notice of the filing of their report Unless exceptions are filed to such report within thirty days after the date of the filing the report shall be confirmed by the court absolutely Any sum awarded by said report to the township or borough shall be a legal and valid claim in its favor against the borough or township charged therewith Any property real or personal given to the township or borough shall become its property Any claim or indebtedness charged against the borough or township may be collected against it

Section 705 [Court Orders Taxation The court may make all needful orders for the collection and payment by the township or borough of the share of the indebtedness apportioned to it and may order the officers of the township or borough to collect by special taxation or amount sufficient to pay the share either in one year or by annual installments] Exceptions to report In case exceptions are filed to the report of the auditor the court shall dispose of the same taking testimony therein if it deems the same advisable The court shall enter its decree confirming the award of the auditor or modifying the same as to it appears just and proper The decision of the court shall be final unless an appeal is taken to the Supreme or Superior Court as in other cases

Section 706 [Appointment of Receiver The court may appoint a receiver to whom the money due from each township and borough shall be paid The receiver shall pay over the amount so received to creditors of the township in such order or in such proportions as the court shall direct In case of any special taxation in any township or borough the collector of the special tax shall pay the same to the receiver] compensation and expenses of auditor costs The auditor shall be allowed such compensation and expenses for his services as the court shall fix The cost of the proceedings including the compensation and expenses of the auditor shall be apportioned by the court between the borough and township as it deems proper

Section 707 [Credit for Unappropriated Balances Each

borough in any of the cases aforesaid shall be credited with its proper share of any unappropriated balance in the treasury of such township at the end of the current year during which such borough shall have been incorporated and the court may equitably apportion the same where territory of borough or annexed territory is located in two or more counties. In case the territory included within the limits of a newly incorporated borough or territory annexed to a borough is located in two or more counties the court of quarter sessions of the county where the borough or the larger part of the territory of the borough is located shall have exclusive jurisdiction over the proceedings to adjust and apportion the indebtedness between the borough and township.

Section 708 [Payment of Costs] The cost of the proceedings shall be paid by the several townships and borough in such proportions as the court shall direct. Bond issues taxation. In any such proceeding the township or the borough shall have power to issue and deliver to the borough or township interest-bearing bonds in liquidation of the indebtedness ascertained to be its proportionate share payable if such bonds are acceptable to the borough or township entitled to receive the same. The court may also make all needful orders for the collection and payment by the township or borough by special taxes to be collected in one year or by annual installments the amount needed to pay the share of any indebtedness apportioned to it.

Section 10 Subsections (b) and (c) of Article VII and Sections 710 711 712 715 716 717 and 718 of said act of May 4 1927 (P. L. 519) are hereby repealed.

Section 11 Subdivision (d) of Article VII and Sections 720 to 805 inclusive of said act of May 4 1927 are hereby reenacted revised and amended to read as follows [(d)] (b) When Territory is Detached.

Section 720 Appointment of Auditor Whenever [under the provisions of sections four hundred and thirty to four hundred and thirty-two inclusive of this act] the court shall decree the detachment of territory from a borough and the boroughs and townships affected thereby cannot amicably agree as to the adjustment of indebtedness if any between themselves the court of quarter sessions upon petition of either the borough or township shall appoint an auditor who shall give such notice of a hearing as the court shall direct to all parties in interest.

Section 721 Duties of Auditor The auditor shall hear all parties in interest make necessary investigation and report to the court the total valuation for taxation purposes of the borough and townships affected the assessed valuation of the portion detached the amount of indebtedness of the several boroughs and townships and the value of all property transferred from the borough to a township or borough. The auditor shall also report a form of decree making such adjustment of the indebtedness of the boroughs and townships affected as he shall deem equitable.

Section 722 Confirmation of Report Costs The report and decree shall be confirmed nisi by the court and shall become absolute [in ten days] unless exceptions be filed thereto [or an appeal be taken by parties in interest]. In case exceptions are filed within thirty days after the report is filed in court the court shall dispose of the same taking testimony therein if it deems the same advisable. The court shall enter its decree confirming the report of the auditor or modifying the same as to it appears just and proper. The decision of the court shall be final the costs and expenses of the proceedings shall be paid as the court shall direct.

Article VIII

Election of Officers

(a) General Provisions Relating to Elected Officers

Section 801 Electors Only to be Eligible [Electors] Registered electors of the borough only shall be eligible to elective borough offices.

Section 802 Time and Place of Elections Election for borough officers shall be at the time and place designated by law for the holding of municipal elections.

Section 803 Certificates of Election Certificates of election of all borough officers shall be filed with the borough secretary and be preserved among the records of the borough for a period of six years.

Section 804 Term Bonds Persons elected to borough offices other than the office of member of council shall serve until their successors are elected and qualified but such service shall not continue longer than the first Monday of January succeeding the next municipal election at which election a successor shall be elected for the unexpired term.

Whenever any elected official of a borough is required to give bond for the faithful performance of his duties the borough may pay the premium for such bond.

Section 805 [Elections Where Boroughs Created] Whenever in boroughs hereafter formed by the division of a borough or in boroughs hereafter created by the detachment of territory a special election is ordered by the court for the election of borough officers the officers so elected shall hold their office until the first Monday of January next succeeding the municipal election at which such officers are elected as provided in sections eight hundred and ten to eight hundred and fifty inclusive of this article and whenever a borough is incorporated from a township the borough officers shall be elected at the municipal election next succeeding the final decree incorporating such borough and shall enter upon their respective terms of service on the first Monday of January following such election. In each of the aforesaid cases the officers elected at the first municipal election following the creation of such borough and thereafter shall be so elected that the time of their election and in the case of councilmen and auditors the number to be elected at any municipal election shall coincide with the time and number elected at such municipal elections by boroughs incorporated prior to the passage of this act. Election of borough officers when boroughs created etc. Whenever a borough is incorporated under the provisions of sections 201 to 211 inclusive of this act or whenever two or more boroughs are consolidated under the provisions of sections 215 to 222 of this act or whenever a borough is created from a city of the third class under the provisions of sections 225 to 229 of this act the officers of the borough provided for in section 807 of this act shall be elected at the appropriate municipal election as provided in said sections and such officers shall take office on the first Monday of January succeeding such election.

At any such election if the borough is not divided into wards of the seven councilmen to be elected three or four councilmen as the case may be shall be elected for terms of two years each and three or four councilmen as the case may be shall be elected for terms of four years each to coincide with the number of councilmen elected at such election in existing boroughs under the provisions of section 810 of this act.

In the case of the consolidation of two or more boroughs into one borough or the creation of a borough from a city of the third class and where in either event two councilmen are to be elected from each ward for a term of two years and one councilman shall be elected from each ward for a term of four years.

In all boroughs coming within the provisions of this section three auditors shall be elected one for a term of two years one for a term of four years and one for a term of six years.

All other officers of the borough shall be elected at such election for terms of two or four years as the case may be to coincide with the terms of officers elected under this act at such election in the existing boroughs.

Section 12 Section 806 of said act May 4 1927 (P. L. 519) is hereby repealed.

Section 13 Sections 807 810 and 811 of said act of May

4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 807 Officers to be Elected It shall be lawful for the electors of the borough to elect

(a) In boroughs not divided into wards seven councilmen a burgess [a high constable] an assessor except in those boroughs where the assessment of property for county purposes under existing laws is made by a county board of assessors or by appointed assessors a tax collector and three auditors or a controller

(b) In boroughs divided into wards at least one and not more than [three] two councilmen in each ward [to] except in boroughs where prior to the passage of this act three councilmen were elected in each ward In such boroughs the number of councilmen is fixed at three in each ward until such number is reduced in the manner provided by this act Councilmen shall be residents of the ward from which they are elected and chosen by the electors of the ward an assessor in each ward except in those boroughs where the assessment of property for county purposes under existing laws is made by a county board of assessors or by appointed assessors to be chosen by the electors of the ward also a burgess [a high constable] a tax collector and three auditors or a controller who shall be chosen by the electors of the boroughs at large

(b) Councilmen

Section 810 Election of Councilmen At the municipal election to be held in the year one thousand nine hundred and [twenty-seven] forty-seven there shall be elected in each borough a sufficient number of councilmen to equal one-half of the entire number of which such council is legally composed to serve for a term of four years from the first Monday of January next succeeding and where such entire number is seven nine or eleven then sufficient, to constitute three four or five as the case may be the aforesaid councilmen to be elected in the year one thousand nine hundred and [twenty-seven] forty-seven being successors to those elected in the year one thousand nine hundred and [twenty-three] forty-three whose terms as heretofore provided by law expire on the first Monday of January one thousand nine hundred and [twenty-eight] forty-eight All councilmen whose terms expire on the first Monday of January one thousand nine hundred and [thirty] fifty shall continue to hold their office until the first Monday of January one thousand nine hundred and [thirty] fifty as now provided and their successors shall be elected at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine to serve for a term of four years from the first Monday of January next succeeding Biennially thereafter at the municipal election a sufficient number of councilmen shall be elected for a term of four years from the first Monday of January next succeeding to fill the places of those whose terms under the provisions of this act shall expire on the first Monday of January next following such election

Section 811 Election of councilmen where new wards created Whenever the court of quarter sessions shall divide any borough into wards erect new wards out of two or more wards or parts [of two or more wards into one ward] thereof or divide a ward already erected into two or more wards and when the report in such case is confirmed by the court it shall at the same time decree the election of an equal number of councilmen in each of the wards in such manner as not to interfere with the terms of those theretofore elected Where a borough is first divided into wards the court shall fix the number of councilmen in each ward at not more than two In decreeing such election when the entire number of council shall be composed of an even number the decree shall be so made that one-half of the entire number shall thereafter be elected at each municipal election When the entire number of council shall be an odd number the court shall divide such council into two classes and

shall make its decrees so that one-half of the entire number of councilmen less one shall as soon as possible take their office in a year divisible by four and the remaining number of councilmen shall take their office in an even-numbered year not divisible by four The apportionment shall be so made by the court that there shall be equal or as nearly equal as possible representation by wards in each class Biennially thereafter at each municipal election a sufficient number of councilmen shall be elected for the term of four years from the first Monday of January next succeeding to fill the places of those whose terms shall expire on the first Monday of January next following such election

Section 14 Sections 812 and 813 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 15 Sections 814 815 and 816 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 814 Fixing number of councilmen when wards created Whenever upon the division of any borough into wards or the creation of a new ward or wards the number of councilmen cannot be equally divided among the wards of the boroughs it shall be lawful for the court in decreeing such division or creation to increase the number of council to and not exceeding such number as will enable the court to make an equal apportionment of the same among the several wards of such borough But where a borough is first divided into wards the number of councilmen provided for a ward shall not exceed two

Section 815 Increase in Number of Councilmen The court of quarter sessions having fixed the number of councilmen as provided in section eight hundred eleven of this article may upon petition [citizens] at least five per centum of the registered electors of the borough increase the same to any number not exceeding [three] two for each ward The sufficiency of the number of signers to any such petition shall be ascertained as of the date when the petition is presented to court

Section 816 Decrease of Number of Ward Councilmen Whenever the electors of any borough divided into wards are authorized by this act or by a decree of court to elect two [or three] members of council from each ward or whenever a borough at the time of the enactment of this act shall elect three councilmen from each ward the court of quarter sessions may upon the petition of [twenty citizens] at least five per centum of the registered electors of such borough and after notice to the council decrease the number of members of the council to be elected in each of such wards from two to one or from three to one or two The sufficiency of the number of signers to any such petition shall be ascertained as of the date the petition is presented to court

At each municipal election thereafter in such boroughs where there are two members from each ward the electors of each ward shall elect one councilman to hold office for a term of four years from the first Monday of January next succeeding his election

At each municipal election thereafter in such boroughs where there is one member from each ward the electors from each of the odd-numbered wards shall at the first municipal election thereafter elect one councilman for a term of four years and the electors from each of the even-numbered wards shall elect one councilman for a term of two years At each municipal election thereafter the electors of the even-numbered wards or odd-numbered wards as the case may be shall each elect one councilman for a term of four years to take the place of those whose terms are about to expire All such councilmen shall take office on the first Monday of January following their election

In any borough where under the provisions of this section the number of councilmen shall be reduced the councilmen then in office shall remain in office until the end of their respective terms

Section 16 Section 817 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 17 Section 820 of said act of May 4 1927 (P. L. 519) is hereby reenacted revised and amended to read as follows

(c) Burgess

Section 820 Election of Burgess Electors of every borough shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter elect one person as burgess who shall hold office for a term of four years from the first Monday of January next succeeding his election

Section 18 Sections 821 and 825 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 19 Section 830 of said act of May 4 1947 (P. L. 519) is hereby reenacted to read as follows

(e) Auditors

Section 830 Election of Auditors The qualified electors in boroughs electing auditors and not accepting the provisions of this act providing for the office of controller shall elect at each municipal election one auditor for a term of six years to hold office from the first Monday of January next succeeding his election

Section 20 Subdivision (f) of Article VIII and Section 835 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 21 Subdivisions (g) (h) (i) of Article VIII and sections 840 845 and 850 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(g)] (f) Controller

Section 840 Election of Controller The qualified electors in every borough having a controller and in every borough accepting the provisions of this act relating to the controller shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter elect as borough controller one person who shall be a competent accountant and [an] a registered elector of the borough for at least four years prior to his election The person so chosen shall serve for a term of four years from the first Monday of January next succeeding his election

[(h)] (g) Assessors

Section 845 Election of Assessors At the municipal election in the year one thousand nine hundred and [twenty-seven] forty-seven and at the municipal election every four years thereafter the qualified [voters] electors of every borough not divided into wards shall [vote for and] elect a properly qualified person for assessor in such borough Where a borough has been or shall hereafter be divided into wards the qualified [voters] electors of each of such wards shall at the time aforesaid elect a properly qualified person as assessor for said ward The provisions of this section shall not [repeal nor] affect the provisions of any statute providing for the election of assistant assessors for the performance of duties relating to elections nor does this section apply to those boroughs where the assessment of real property for county purposes under existing laws is made by a county board of assessors or by appointed assessors

[(i)] (h) Tax Collector

Section 850 Election of Tax Collector The qualified [voters] electors of every borough shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter [vote for and] elect one properly qualified person as tax collector of the borough

Section 22 Sections 901 to 906 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article IX

Vacancies in Office

Section 901 Filling Vacancies in Elective Borough

Offices If any vacancy shall occur in the office of burgess member of council auditor controller [high constable] or tax collector by death resignation removal from the borough or from a ward in the case of a ward office or by failure [or neglect] to take the required oath or to give bond as provided by law or ordinance or in any other manner whatsoever the borough council shall fill such vacancy by appointing by resolution a [qualified] registered elector of the borough to hold such office for the unexpired term of the office

The person appointed shall give bond if required by law or ordinance

In cases where the person elected to the office shall fail to give bond if any required or to take the required oath the borough council before making the appointment shall declare the office vacant

[Where a vacancy in the office of tax collector exists or where a tax collector shall fail to file bond as required by law and in either case no resident of the borough can in the opinion of the council qualify as required by law the borough council shall appoint the county treasurer as tax collector for the unexpired term Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use so much of the commissions payable for the collection of said taxes as may be required for the payment of his deputy and the premium on his bond and shall not be required to pay the same over to the county but any commissions over and above such costs shall belong to the county to reimburse the county for office rent light heat telephone service compensation insurance supplies postage and equipment The salary board of the county or where there is no salary board then the county commissioners shall fix the compensation of any deputy appointed If the county treasurer so appointed shall fail to file bond the borough council shall appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term

If no person can be found within the borough to accept appointment as tax collector for the borough the council of the borough may proceed to collect its taxes through its treasurer or secretary as tax collector who shall not be required to give additional bond but shall otherwise have the powers and perform all the duties of the tax collector or the borough may notify the county commissioners that the borough is without a tax collector and that it desires the county commissioners to collect such taxes Thereupon the county commissioners shall proceed to collect the taxes for the county and the borough and also the school district unless the school district has appointed a tax collector or desires to collect its taxes directly through its own treasurer or secretary which it shall have the power to do without requiring additional bond from such treasurer in the same manner as above provided for the borough

The county commissioners shall in any such case have power to collect the taxes for the county and for any borough and school district and shall perform all the duties and have all the powers herein conferred on tax collectors and shall have power to appoint a deputy as herein provided where the county treasurer is appointed and to fix his compensation The county commissioners shall pay the amounts received over to the county treasurer who shall pay to the borough and school district taxes received for their use less such amount as is allowed as a commission for the collection of such taxes which shall be retained for the use of the county to reimburse the county for the costs incurred by the county commissioners in collecting such taxes The county commissioners shall not be required to give any bond for the duties herein imposed nor shall they receive any compensation for collecting such taxes The county commissioners shall where they collect taxes as herein provided

have all the powers and perform all the duties vested in collectors of county borough and school taxes]

Section 902 [When Court to Fill Vacancies If the council of any borough shall refuse fail or neglect or be unable for any reason whatsoever to fill any vacancy within thirty days after the vacancy happens as provided by the preceding section then the court of quarter sessions shall upon petition of the burgess or council or five citizens fill the vacancy in such office by the appointment of a qualified resident of the borough for the unexpired term of the office] Collection of taxes where vacancy in office of tax collector not filled Where a vacancy in the office of tax collector exists and no resident of the borough has within thirty days received the appointment to fill such vacancy the county commissioners the borough council and the board of school directors of the school district shall collect the tax for the county the borough and the school district respectively through their respective treasurers or in the case of school districts and boroughs at the option of the district or borough through their respective secretaries No such county borough or school district treasurer or secretary shall be required to give bond unless required to do so by the taxing district Treasurers and secretaries shall have all the powers and perform all the duties imposed on tax collectors Such treasurers and secretaries for performing such duties shall be entitled to the compensation provided by law for the collection of such taxes

Section 903 Assessor Vacancies in the office of assessor shall be filled as now provided by law

Section 904 Right of Council to Declare Seat of Councilmen Vacant for Failure to Qualify If any person elected or appointed as [members] a member of council who has been notified of his election or appointment shall refuse or neglect to qualify as such member of council within ten days next succeeding the beginning of his term of office unless prevented by sickness or prevented by necessary absence from the borough the borough council acting without such person may declare his office as member of council vacant and may fill such vacancy as provided in section nine hundred one of this act For such actions a majority of the remaining members of the council shall constitute a quorum

Section 905 Right of Council to Declare Seat of Councilman and Burgess Vacant for Failure to Attend Meetings Etc If any person having qualified as a member of council or burgess shall neglect or refuse to attend two successive regular meetings unless detained by sickness or prevented by necessary absence from the borough or if a councilman in attendance at any meetings shall neglect or refuse to vote or by his withdrawal from council or otherwise refuse to act in his official capacity as a member of council or if the burgess in attendance at any meetings shall neglect or refuse to cast the deciding vote as required by section 1003 of this act the borough council acting without such person may declare his office as a member of council or burgess vacant and may fill such vacancy as provided in section nine hundred one of this act For such actions a majority of the remaining members of the council shall constitute a quorum

Section 906 Temporary Auditor If for any reason two or three vacancies exist in the office of borough auditors the council may temporarily appoint and reasonably compensate a qualified person who need not be an elector of the borough who shall have all the powers and duties of the two or three auditors whose offices are vacated

Section 23 Section 1001 to 1017 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article X

Powers and Duties of Elected Borough Officers

(a) Council

Section 1001 Organization of Council Quorum No Com-

pensation Eligibility The borough council shall organize at eight o'clock post meridian on the first Monday [after the first day] of January of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance or as may be deemed necessary for the conduct of affairs of the borough The president shall preside over the meetings of council and when absent his place shall be filled by a president pro tempore A majority of the entire membership of council shall constitute a quorum The councilmen shall not receive any compensation for their services as councilmen

A school director shall not be eligible to the office of member of council

Section 1002 Oath of Councilmen Before entering upon the duties of their office the councilmen shall take and subscribe an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of their office with fidelity The oath or affirmation may be taken before any judge or justice of the peace of the county or before the burgess of the borough when he has qualified and shall be [entered upon or] filed with the borough secretary and be preserved among the records of the borough for a period of six years

Section 1003 When the Burgess may Preside Over Council and vote Attendance of Burgess at Council Meetings Breaking Tie Votes The burgess shall preside over the organization of the council until it is organized as provided in section [one thousand one] 1001 and he shall be deemed a member of council at the organization meeting if his membership becomes necessary to constitute a quorum but he shall not vote thereat unless his vote shall for any reason whatsoever be required to effect the organization of council or to elect any officer who is required to be or may be elected at the organization meeting In case of the unavoidable absence of the burgess at the organization meeting one of the members of council chosen by the members present at the meeting shall preside

The burgess shall attend all regular meetings of council unless detained by sickness or prevented by necessary absence from the borough In all cases where by reason of a tie or split vote the council of any borough shall be unable to enact or pass any ordinance resolution or motion or to declare or fill a vacancy in its membership or in any other borough office [and such disagreement shall continue until the next regular meeting of council] it shall be the duty of the burgess of such borough to [attend said meeting and] cast the deciding vote

Section 1004 Failure of Council to Organize If the council of any borough shall fail to organize within ten days from the time prescribed in this article the court of quarter sessions upon the petition of ten [taxable inhabitants] registered electors verified by the affidavit of [five] one of the petitioners shall issue a rule upon the delinquent councilmen to show cause why their seats should not be declared vacant The rule shall be returnable not less than five days from the time of its issue and after hearing the court may declare the seats of such [delinquent] councilmen as are responsible for such failure to organize vacant and appoint others in their stead who shall hold their office for the [unexpired term] the respective unexpired terms

Section 1005 [Selection of High Constable Where Boroughs Consolidated Whenever two or more boroughs are consolidated under the provisions of this act the council of the new borough at the first meeting after such consolidation shall designate by ballot which of the high constables and auditors shall perform the duties of those offices in the new borough and the person so chosen shall hold their office until the first Monday of January next succeeding the municipal election at which such officers

are regularly elected as provided in this act The council shall also designate by ballot which of the treasurers shall perform the duties of that office in the new borough and shall elect some person as secretary of the council Powers of council The council of the borough shall have power

I To appoint a solicitor an engineer a street commissioner and such other officers as it deems necessary

II To mitigate or remit fines and forfeitures in reasonable cases

III By resolution to make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue certificates of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

IV To appoint and revoke the appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository Such security may be bonds with corporate or individual sureties to be approved by council or collateral security consisting of obligations of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof deposited with the borough or with any bank or trust company within the Commonwealth of a market value of one hundred and twenty per centum of the amount of the deposit to be secured Any deposit of collateral shall be under proper agreement and be accompanied by proper assignment or power of attorney for the transfer of the collateral The borough treasurer shall deposit all borough funds in any depository so designated and when so deposited the borough treasurer shall be released and discharged from further liability on account of such deposit Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

V To secure such indemnity bonds or policies of insurance as it may deem necessary to protect the borough from loss by reason of fire flood windstorm burglary larceny negligence or dishonesty insolvency of a depository or otherwise and to pay for such protection the usual or customary costs

VI To make temporary investment of borough funds whether they be general special or sinking fund in bonds of the Federal Government the Commonwealth of Pennsylvania the bonds of the borough or in any other securities authorized by law for the investment of sinking funds of municipalities when in its judgment the interests of the borough will be enhanced thereby and to dispose of such securities when the funds may be needed by the borough Any such purchase or sale shall be made by the president and secretary of council on a resolution adopted by the council

VII To employ a certified public accountant by a two-thirds vote of the entire number of councilmen elected

VIII To make authorize and ratify expenditures for lawful purposes from funds available therefor or from funds borrowed within legal limits

Section 1006 Duties [and powers] of council [The borough council a majority of whom shall be a quorum shall have power and unless discretion is vested it shall be its duty] It shall be the duty of the borough council

I To meet statedly at least once a month Council may adjourn to a particular time for general business or for special business If no quorum [be] is present at [such] a regular or adjourned meeting a majority of those who do meet may agree upon another date for like business and may continue to so agree until the meeting is held Special meetings may be called by the president of council or upon written request of at least one-third of the [persons who are] members [of council] thereof Members shall have at least twenty hours' notice of such special meetings The notice shall state whether it [be] is for general or special purposes and if it [be] is for special purposes the notice shall contain a general statement of the nature of

the business to be transacted Presence at a meeting constitutes waiver of notice Council may adopt rules relating to the calling and holding of all meetings which rules shall supersede the provisions of this section

II To make and preserve full records of [their] its proceedings

III To enact revise repeal and amend such [laws] by-laws rules regulations [and] ordinances and resolutions not inconsistent with the laws of the Commonwealth as it shall deem beneficial to the borough and to provide for the enforcement of the same The legislative powers of boroughs including capital expenditures not payable out of current funds shall be exercised by or be based on an ordinance All other powers shall be exercised by vote of the majority of council present at a meeting unless otherwise provided Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor was previously given or if the action is subsequently ratified by council

IV Except where otherwise in this act provided to publish every ordinance or resolution of a legislative character in one newspaper [printed in the county every enactment regulation ordinance or other general law at last ten days before the same shall take effect] of general circulation in the borough

V To cause notices to be served as required by law or ordinance in a manner council may by motion or other action decide

VI To keep open for public inspection in a place provided by the borough any plans of highways that may be made

VII To appoint and remove a treasurer and secretary [Council in its discretion may appoint a solicitor a street commissioner and such other officers as it shall deem necessary] The treasurer and secretary shall not be members of council

VIII To fix the compensation of the treasurer and secretary [street commissioner high constable] and such other officers Appointees and employes as [they] it may appoint to be paid from the borough treasury by orders drawn thereon

IX To fix the amount of security to be given by the treasurer [collector of borough taxes the high constable] and of such other officers appointees and employes as it may designate

[X To direct annually the publication of the accounts of the treasurer]

[XI In its discretion to mitigate or remit fines and forfeitures in reasonable cases]

[XII Whenever the borough funds have been exhausted the borough may by resolution make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue a certificate of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made]

[XIII To appoint and revoke appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository]

[The borough may accept from a depository as security for its deposits bonds with corporate or individual sureties to be approved by council or the depository may deposit as collateral security with the borough or with any bank or trust company within the Commonwealth which may be agreed upon United States municipal or county bonds of a market value of one hundred and twenty (120%) per centum of the amount of the deposit to be secured Such deposit of collateral shall be under proper agreement and accompanied by proper assignment or power of attorney for the transfer of the bonds

When funds of a borough are deposited in a designated depository the deposit shall be in the corporate name of the borough and withdrawn therefrom as provided in section 1105]

[XIV The borough treasurer shall deposit all such

funds in the depository or depositories designated by the borough and when so deposited the borough treasurer shall be released and discharged from further liability]

[XV To secure such indemnity bonds or policies of insurance as they may deem necessary to protect the borough from loss by reason of fire windstorm burglary larceny dishonesty of employes insolvency of depository or otherwise and to pay for such protection the usual or customary costs]

[XVI To make temporary investment of borough funds whether they be general special or sinking fund in bonds of the Federal Government the Commonwealth of Pennsylvania or bonds of the borough when in its judgment the interests of the borough will be enhanced thereby and to dispose of any such securities when the funds may be needed by the borough Such purchase or sale to be made by the president and secretary of council on a resolution adopted by the council]

[XVII In its discretion to employ certified public accountants by a two-thirds vote of the entire number of councilmen elected]

[XVIII To adopt an annual budget During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided

For ten (10) days a copy of the proposed budget shall be on file with the borough secretary and by him made available for public inspection Notice that the proposed budget is available for inspection shall be published either in a newspaper of general circulation in the borough or in the case of boroughs whose estimated budget receipts are less than five thousand dollars (\$5000.00) conspicuously posted during the said ten (10) day period in a place readily viewable by the public at the secretary's office together with any further notice prescribed by council Failure to give the notice herein required shall not invalidate the budget adopted or the tax ordinance but shall render the secretary guilty of a misdemeanor and on conviction thereof may be sentenced to a fine not exceeding one hundred dollars (\$100.00) as may seem meet and just to the court passing sentence

After the expiration of the said ten (10) days council shall make such revision in the budget as shall be deemed advisable In addition to expenditures proposed for the current fiscal year council may include as proposed expenditures a sum sufficient to pay any existing indebtedness and to pay the ordinary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor and may also include a sum to provide in whole or in part for any deferred maintenance depreciation and replacements Within the tax levy and debt limitations council may also include in whole or in part expenditures for capital improvements and purchases Expenditures of a legislative character shall be made authorized or ratified by ordinance Other expenditures allowed by law may be made or ratified by motion in council Such expenditures whether by ordinance or motion shall then be considered as appropriations affecting the budget Any balance of revenues over expenditures may be expended in any subsequent year for any lawful purpose

Upon completion of the budget containing the estimated receipts and expenditures and its adoption by motion in council it shall then be the duty of council to adopt an ordinance levying the tax for the fiscal year for approval of the burgess or passage over his veto The fixing or changing of the compensation or bonds of officials may be made by vote of council or embodied in the tax ordinance An ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council

The budget both preliminary and final shall be as comprehensive and exact as the information available will

admit but council in its reasonable discretion may by motion modify the budget after its final adoption New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before an expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law]

Section 1007 Passage Approval and Veto of Ordinances Every ordinance and resolution except as herein otherwise provided passed by the council shall be presented to the burgess for his approval If the burgess [approve] approves he shall sign it but if he shall not so approve he shall return it with his objections to the council at its next regular meeting when the objections shall be entered upon the minutes and the council shall proceed to a reconsideration thereof If after such reconsideration two-thirds of all the members elected to said council or a majority of council plus one when the number composing such council is less than nine shall vote to pass such ordinance or resolution it shall become of as full force and effect as if it had received the approval of the burgess but in such case the vote shall be determined by yeas and nays and the names and votes of the members shall be entered on the minutes If any such ordinance or resolution shall not be returned by the burgess at the regular meeting of the council next succeeding its presentation to him it shall likewise have as full force as if it had been approved

Section 1008 Recording [and] advertising and proof of ordinances codification of ordinances (a) No ordinance or resolution of a legislative character in the nature of an ordinance shall be considered in force until the same is recorded in the ordinance book of the borough and [is] has been advertised as provided in this article [That all] All ordinances or resolutions of a legislative character in the nature of an ordinance may be proved by the certificate of the borough secretary [or clerk] under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by the authority of the borough shall be read and received as evidence in all courts and places without further proof All borough ordinances shall within one month after their passage be recorded by the borough secretary [or clerk] in a book provided for that purpose which shall be at all times open to the inspection of citizens [Ordinances heretofore passed within five years prior to the date of this act and not so recorded may now be recorded and effective under the provisions of this section] The entry of the borough ordinance in the ordinance book by the secretary [or clerk] shall be sufficient without the signature thereto of the president of council burgess or other person

[Section 1008.1 Adoption of Codification of ordinances] (b) Whenever any borough shall have caused to be prepared a consolidation codification or revision of the general body of borough ordinances or the ordinances on a particular subject the borough council may adopt such consolidation codification or revision as an ordinance of the borough in the same manner that is now prescribed by law for the adoption of borough ordinances except as hereinafter provided

Any such consolidation codification or revision of borough ordinances to be enacted as a single ordinance shall be introduced in the borough council at least thirty days before its final enactment and at least fifteen days before its final enactment notice of the introduction of any such consolidation codification or revision specifying its general nature and content shall be given by advertisement in a newspaper of general circulation in said borough [or if there be no newspaper of general circulation in said borough then by the posting of at least ten handbills in conspicuous places in the borough]

When any such consolidation codification or revision has been enacted as an ordinance [in the manner aforesaid] it shall not be necessary to [publish or] advertise the entire text thereof but it shall be sufficient in any

such case to publish or advertise the table of contents thereof in the manner provided by law for the [publishing or] advertising of ordinances Such [publication or] advertisement shall in addition to setting forth the table of contents specify that the [consolidation codification or revision] ordinance is only a consolidation codification or revision of existing ordinances or ordinances on a particular subject and shall indicate a place within the borough where a copy thereof may be examined

Section 1009 Typewritten Records Valid All borough records required to be recorded or transcribed shall be deemed valid if typewritten and all records heretofore recorded or transcribed by typewriter are validated

Section 1010 Appeals from Ordinances Complaint as to the legality of any ordinance or resolution may be made to the court of quarter sessions upon entering into recognizance with sufficient security to prosecute the same with effect and for the payment of costs by any person aggrieved within thirty days after any ordinance or resolution takes effect and the determination and order of the court thereon shall be conclusive [The court shall have jurisdiction to review the propriety as well as the legality of ordinances] In cases of ordinances effecting annexation of territory or laying out streets over private lands the court shall have jurisdiction to review the propriety as well as the legality of the ordinance

Section 1011 Lost Ordinance Books to be Replaced Transcribing Ordinances Whenever any ordinance book is lost destroyed or becomes unserviceable the borough council may provide by ordinance for a new ordinance book into which shall be transcribed by the secretary all of the then valid ordinances The secretary in transcribing such ordinances shall make complete copies thereof including the date of enactment and approval and the names of the officers who signed the same and after notice given as hereinafter provided and corrections made shall certify each ordinance as a correct copy of the original

Section 1012 Ordinance Provided for Transcribing Notice The ordinance providing for the transcribing of such ordinances shall be recorded in such book immediately following the ordinances so transcribed and it shall provide that the secretary of the borough upon the completion of such transcribing shall publish once a week for four weeks in one newspaper published in the borough and if there be no such publication then in a newspaper [published in the county] circulating in the borough a notice stating that all of the then valid ordinances of the borough have been transcribed into a new ordinance book and that the old books and records of borough ordinances and the new ordinance book are open to public inspection for the purpose of verification and correction during the thirty days from the date of the notice

Section 1013 Certificate of Secretary The Secretary of the borough at the expiration of such notice shall make all corrections and shall then certify that all of the ordinances have been compared with the originals and that they are correct copies thereof After the ordinances are transcribed notice thereof given and the certificate of correction made [as provided in the preceding sections of this article] the ordinances so transcribed shall take the place of the original record and shall be the valid and legal ordinances of the borough

Section 1014 Hearings Before Council Witnesses Borough councils may compel the attendance of witnesses and the production of books papers or other evidence at any meeting of the council or any committee thereof and for that purpose may issue subpoenas signed by the president of council or the chairman of the committee and cause the same to be served in any part of this Commonwealth If any witness shall refuse to testify to any fact within his knowledge or to produce any books or papers in his possession or control required to be used as evidence in any such case the secretary of the council shall report the facts relating to such refusal to the court of common pleas If the court determines the evidence required of such witness to be legal and competent it shall

order such witness to testify or produce the evidence required

Section 1015 Witness Fees and Mileage No person residing without the borough and subpoenaed as aforesaid shall be required to respond to the same until mileage to and from the borough at the rate of ten cents a mile and [a per diem allowance of two dollars for the time their presence is desired has] witness fees as required by law relating to witnesses have been furnished

Section 1016 Examination of Witnesses Penalty Any person called as a witness as provided in this article may be examined under oath administered by the president of council or chairman of the committee and for the giving of false testimony shall be liable to indictment and punishment for perjury

Section 1017 State Association of Boroughs The boroughs of the Commonwealth are authorized to organize a State Association of Boroughs for the purpose of advancing the interests of the boroughs Any borough may join the said association by motion of council and payment of the annual dues Council may designate one or more delegates from the elected or appointed officials of the borough to attend the annual meeting of the association which shall be held in accordance with the procedure adopted by the association In addition to any compensation allowed by law the actual expenses of the delegates including transportation incurred by delegates for or incident to such meeting shall be paid by the borough The time spent in attending said meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom [The annual membership dues of each borough becoming a member of the said association shall not exceed the sum of fifteen dollars for boroughs of one thousand population and less and in addition thereto the sum of two dollars per thousand of population or fractional part thereof not however exceeding a total additional fee of eighteen dollars] Each borough becoming a member of the association shall pay such reasonable dues as may be fixed by the association but such dues for boroughs having a population of less than one thousand shall not exceed fifteen dollars

The dues and other revenues received by the association shall be used to pay for services publications and other expenses authorized or ratified by the association or incurred in behalf of the association by its officers and committees

Section 24 Section 1018 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 25 Sections 1020 to 1028 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(b) Burgess

Section 1020 Eligibility of Burgess No burgess shall hold any other borough office or appointment during the term for which he is elected but he shall be eligible to succeed himself He shall attend all regular meetings of the council but shall not be a member of nor preside or vote at the meetings of the council except as provided in section ten hundred and three of this act

Section 1021 Incompatible Offices [Penalty] No member of Congress or any person holding any office or appointment of profit or trust under the Government of the United States shall be capable of holding the office of burgess

[Any person violating the provisions of this section shall be liable to a penalty of not less than fifty dollars nor more than one hundred dollars and the office of burgess shall be considered vacant

Any penalty imposed under this section shall be paid one-half to the overseers guardians or directors of the poor of the borough or county where such offense is committed to be applied for the support of the poor and one half to the prosecutor]

Section 1022 Oath of Burgess The burgess before assuming the duties of his office shall take and subscribe an oath or affirmation [and the same shall be filed as pro-

vide^d in section one thousand and two of this act] to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity The oath or affirmation may be taken before any judge or justice of the peace of the county and shall be filed with the borough secretary and be preserved among the records of the borough for a period of six years

Section 1023 Salary of Burgess Fixed by Ordinance The salary of the burgess may be fixed by ordinance to be paid from the borough treasury in monthly or semi-monthly installments on warrants authorized by the council [When so fixed such salary shall not be changed during the term of the incumbent] The salary or compensation of a burgess shall not be increased or decreased oftener than once in two years

Section 1024 Salary of Burgess Limited The salary of the burgess shall not exceed per annum one hundred dollars per thousand for the first [five] ten thousand population or fraction thereof [and fifty dollars per annum for each additional one thousand of population or fractional majority thereof] the population to be determined by the United States decennial census or by [five] two and one-half times the number of registered electors in the borough as shown by the last registration thereof whichever may be the greater Provided however That in any borough whose population [calculated as aforesaid] shall exceed ten thousand the borough council may by ordinance fix the salary of the burgess at any sum not exceeding two thousand dollars and in boroughs whose population shall exceed twenty thousand the borough council may by ordinance fix the salary of the burgess at any sum not exceeding three thousand dollars

Section 1025 Salaried Burgess Not To Receive Fees Any salary paid pursuant to an ordinance shall be in lieu of all costs and fees allowed a burgess whether acting as burgess or justice of the peace and in such case the costs and fees shall be taxed and collected by the burgess and turned [monthly] into the borough treasury [together with a sworn statement of the same]

Section 1026 Burgess To Collect Costs And Fees In all cases where the burgess is given the jurisdiction of a justice of the peace he shall collect the same costs and fees as are charged by justices of the peace for like services and in all other cases he may collect such costs and fees as are allowed by law to a justice of the peace for services of a similar character [Provided however That he] He shall procure a docket in book or loose-leaf form wherein he shall enter all cases and charges which docket shall be open to public inspection at reasonable times

Section 1027 General Powers of Burgess The burgess shall have power

I To administer oaths and affirmations in matters pertaining to borough affairs

II To exercise jurisdiction in all disputes between the borough and individuals arising under the ordinances rules and regulations of the borough

III To exercise the powers and jurisdiction of justices of the peace in the enforcement of all ordinances of the borough and the collection of fines and penalties imposed thereunder and to sentence any person violating any such ordinance to detention in the lockup county jail or workhouse as hereinafter provided

IV To exercise the powers and jurisdiction of justices of the peace within the borough for the suppression of riots tumults and disorderly meetings and in all criminal cases for the punishment of vagrants and disorderly persons

Section 1028 Duties of Burgess It shall be the duty of the burgess

I To preserve order in the borough to enforce the ordinances and regulations to hear complaints to remove nuisances and to exact a faithful performance of the duties of the officers appointed

II To demand and receive sufficient security in the

amount fixed by the council of the borough from the treasurer [and high constable]

III To sign such papers contracts obligations and documents as may be lawfully required by council

IV To keep correct accounts of all fees fines and costs received by him to render to the councils at each regular meeting an itemized statement of all such moneys so received since the last regular meeting of the council with the dates at which and the names of the persons from whom the same was received and to pay all such moneys into the borough treasury prior to such regular meeting except such costs and fees as he may be authorized to retain in lieu of salary [deducting therefrom] The burgess shall be reimbursed by the borough for the costs of such dockets books and forms not to exceed twenty-five dollars in the aggregate for any one year as are directly useful in the conduct of [the] his office [to be reported to council and to be and] Such dockets books and forms shall be and remain the property of the borough and [to] shall be surrendered to his successor in office

V To cause to be opened all public roads or streets [lanes or alleys] lying within or partly within the borough

Section 26 Section 1029 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 27 Section 1030 of said act of May 4 1927 (P. L. 519) is hereby reenacted to read as follows

Section 1030 When President of Council to Act as Burgess Whenever the burgess is absent or incapacitated the duties of his office shall be discharged by the president of council While discharging the duties of the burgess the president of council shall be entitled to the same salary or fees as the burgess would receive and during the time such salary is paid to the president of council as acting burgess the burgess shall not be paid compensation

Section 28 Subdivision (c) of Article X and Sections 1031 1032 1033 and 1034 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 29 Subdivision (d) of Article X and sections 1035 to 1053 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[d] (c) Auditors

Section 1035 Auditors to Meet Yearly and [Prepare a Financial Statement Financial Report to be Furnished to Department of Internal Affairs] audit accounts uniform forms (a) The auditors of the borough shall meet on the third Tuesday of January of each year [and]

(b) The auditors shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and of any person committee and commission receiving or expending [municipal] borough funds and shall prepare a [statement thereof] report thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof Such [statement] report shall be prepared within sixty (60) days after the close of the fiscal year [A summary of such statement showing in reasonable detail all receipts and expenditures of the several boroughs officials the income from each source of revenue and the expenditures as set up in the borough budget as well as the present financial conditions of the borough and a statement of the balance due from or to such officials shall be published one time in one newspaper of general circulation and shall be in lieu of all other statements relating to indebtedness required to be published by existing law]

(c) The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute which causes a financial loss to the borough shall be a surcharge against any officer

against whom such balance or shortage shall appear or who by vote act or neglect has permitted or approved such expenditure but no elected or appointed official of a borough shall be surcharged for any act error or omission in excess of the actual financial loss sustained by the borough and any surcharge shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law [Provided That this amendment] The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of officers nor to any penalty enuring to the benefit or payable to the Commonwealth [and Provided further That in]

(d) In any matter involving any financial transaction and official knowingly and wilfully acting contrary to law and knowingly or wilfully failing to act as required by law is guilty of a misdemeanor and on conviction thereof maybe sentenced to a fine not exceeding one hundred dollars (\$100.00) and his office may be forthwith declared vacant as may seem meet and just to the court passing sentence

(e) After such [statement] report has been prepared and executed by the auditors it shall be the duty of the secretary of the borough to retain a copy and to file a copy of the report with [secretary of the borough] [to furnish to] the clerk of the court of quarter sessions of the county and the Department of Internal Affairs [a report of such statement transcribed on a uniform form prepared and furnished as hereafter provided] Such reports shall be [signed by the auditors and the secretary and shall be filed with the department within ninety (90) days after the close of the fiscal year] filed by the secretary of the borough not later than the fifteenth day of April Any secretary of the borough refusing or wilfully neglecting to file such report shall upon conviction in a summary proceeding [brought at the instance of the Department of Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond [April first] the last day for filing such report and costs If the failure to file such report within the period specified is due to the failure of the auditors to prepare the statement upon which said report is to be based said fine shall be imposed upon all of the auditors [and not upon the secretary All fines recovered shall be for the use of the Commonwealth]

(f) The uniform forms for the [annual budget and for the] annual auditor's report [to the Department of Internal Affairs to be used as herein provided] and the annual financial statement hereinafter required to be made shall be prepared by a committee [consisting of four representatives from the Pennsylvania State Association of Boroughs and the secretary of the Department of Internal Affairs or his agent] as provided in Article XIII of this act

[Such representatives shall be appointed by the president of the organization within sixty (60) days after the effective date of this act Such representatives shall be chosen from among finance officers or other officers of boroughs who have knowledge of their fiscal procedures As far as possible they shall be chosen to represent boroughs in the various population groups The president of the organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Such representatives shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the fiscal needs and procedures of boroughs of the various population groups producing separate forms if necessary to the end that such forms shall not be inconsistent with the general administrative practices of boroughs of various types and sizes

It shall be the duty of the Secretary of Internal Affairs

or his agents to see to it that the forms required by this act are prepared in cooperation with such committee at the event that the committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After their preparation he shall issue such forms and distribute them annually as needed to the proper officers of each borough

Section 1036 Orders and Vouchers To Be Marked "Audited" All orders [and] vouchers and certificates of indebtedness which have been paid shall on their presentation to the auditors be cancelled by writing the word "audited" on the face thereof

Section 1037 [Auditors To Post and File Statement of Court] Completion of Auditors' Report Publication of Financial Statement The auditors shall complete such audit adjustment and settlement as soon as possible [and] The auditors shall within ten days thereafter publish [posting printed or typewritten handbills in five public places in the borough an itemized statement of the receipts and expenditures of the several officers for the preceding year certifying therein the date on which such audit was completed They shall also within such period of ten days file a copy of the statement with the secretary of the borough and also with the clerk of court of quarter sessions of the county certifying therein the date on which such audit was completed They shall also within such period of ten days file a copy of the statement with the secretary of the borough and also with the clerk of court of quarter sessions of the county certifying therein the date on which such audit was completed which shall be at all times subject to public inspection A copy of such statement shall also be filed with the Secretary of Internal Affairs Whenever two or more borough offices shall be exercised by the same person only one statement shall be required] advertisement in at least one newspaper of general circulation published in the borough or if no such newspaper is published in the borough then in such a newspaper circulating in the borough a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the borough at the end of the fiscal year the gross liability and net debt of the borough the amount of the assessed valuation of the borough the assets of the borough with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in each sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of boroughs to publish an annual statement of indebtedness

Section 1038 Appeals From Audit It shall be lawful for the borough or any taxpayer thereof on its behalf or any officer whose account is settled or audited to appeal from the settlement or audit as shown in the auditor's report to the court of common pleas of the county but not later than forty days from the [completion] date of filing of the [audit as shown by the posted handbills or the statement filed] auditor's report with the clerk of the court of quarter sessions

Section 1039 Taxpayers Appealing To Enter Bond In appeal by a taxpayer or officer shall be allowed unless at the time of taking such appeal the appellant shall enter into bond in the sum of five hundred dollars with sufficient surety to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant [be] is a taxpayer he shall fail to obtain a final decision more favorable to the borough than that awarded by the auditors or in case the appellant [be] is an accounting officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors Unless such bond is filed as hereinbefore provided the court of common pleas upon application shall set aside the appeal

Section 1040 Taxpayers May Intervene In Appeals Whenever an appeal has been taken from the report of the auditors by the borough or by any person charged

such report with any sum of money any taxpayer of the borough may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No taxpayer shall intervene unless he shall file in the court of common pleas a bond in the sum of five hundred dollars with one of more sufficient sureties conditioned to indemnify the borough against all costs accruing by reason of such intervention

Section 1041 Procedure On Appeals Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party In any proceeding upon an appeal from a report of auditors [of any borough] the accounts of the officer or officers in question may be investigated de novo and the burden shall be upon each officer whose accounts are involved in the appeal of establishing [by evidence from original sources] his right to credits claimed by him but the opposing party in such appeal may use any facts figures or findings of the report of audit as prima facie evidence against any officer

When more than one appeal from a report of such auditors shall have been taken whether by the borough or an officer or officers thereof or by a taxpayer or any or all of them the court shall on its own motion or upon [petition] motion of any party interested direct the several appeals to be disposed of in a single proceeding.

Section 1042 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 1043 Findings of Fact and Law Judgment After hearing the court shall file its findings of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by the party prevailing

Section 1044 Exceptions and Appeals Any person interested may except to the ruling of the court and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 1045 Balances Due To Be Entered As Judgments Any balance in any report of the auditors against any officer of the borough shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge and the amount of any balance and of any express surcharge shall if no appeal is taken or after an appeal has been finally determined be entered by the prothonotary as a judgment against such officer and in favor of the borough The clerk of the court of quarter sessions shall certify the amount of every balance or surcharge contained in any such report from which no appeal has been taken within time herein provided to the court of common pleas for entry thereof by the prothonotary as a judgment Any taxpayer of the borough may enforce the collection thereof for the benefit of the borough by action or execution upon filing in the court of common pleas a bond in the sum of five hundred dollars with one or more sureties conditioned to indemnify the borough from all costs which may accrue in the proceedings undertaken by such taxpayer subject however to all rights of appeal from the report of auditors granted by this act If any person or persons have been or shall be surcharged for an illegal purchase and no fraud or collusion is shown and the surcharge is paid to the borough then the article purchased shall become the property of the person or persons surcharged

Section 1046 Attorney To Auditors The borough auditors may employ an attorney whenever the same is deemed advisable by a majority of the auditors

The compensation of such attorney shall be fixed by the auditors and shall not exceed the sum payable to one auditor for the making of the annual audit unless a larger compensation shall be specially allowed by a court [of record] in connection with any proceeding before such court and shall be payable by the borough out of the general fund of the borough

Section 1047 Compensation of Auditors Each auditor

shall receive five dollars per day for each day necessarily employed in the discharge of his duties to be paid by the borough A day shall consist of not less than five hours in the aggregate

Section 1048 Penalty For Failure To Comply With Law In case of any neglect or refusal to comply with the provisions of the preceding sections of this article the auditors so neglecting or refusing shall [pay a penalty of one hundred dollars to be recovered in the same manner as debts of like amount are recoverable by suit instituted in the name of the borough upon the complaint of any taxpayer thereof When so recovered the amount of the penalty shall be paid into the treasury of the borough] upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars and in default of the payment of the fine and costs shall be imprisoned for not more than ten days

Section 1049 Auditors May Compel Attendance Of Witnesses The auditors of each borough or a majority of them shall have power to issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine at witnesses and to compel their attendance [by attachment in like manner and to the same extent as any court of common pleas of this State may or can do in cases depending before them and also to compel in like manner the production of all books vouchers and papers relative to such accounts Such subpoena may be served by any person and such attachment shall be served and executed by the sheriff or coroner of the respective county or any constable of such county] If any person shall refuse or neglect to appear or testify the auditors shall petition the court of common pleas of the county to issue a subpoena to such person and to require him to appear and to testify before the court The court shall issue such subpoena if it deems the testimony relevant to the issue

Section 1050 Auditors May Administer Oaths Penalty The auditors of each borough or a majority of them shall have power to administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise and all persons guilty of swearing or affirming falsely on such examination shall be liable to the pains and penalties of perjury

Section 1051 Persons Refusing To Testify To Be Committed If any person appearing before such auditors for examination shall refuse to take such oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall put to him by the auditors touching the accounts of the official conduct of such public officers or any of them [such person so refusing may be committed by a majority of the auditors to the county jail by warrant under their hands and seals directed to the sheriff or any constable of the county setting forth particularly the cause of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged] then the auditors may petition the court to issue its subpoena as hereinbefore provided

Section 1052 Pay of Witnesses Witnesses other than officers of the borough attending before the auditors and persons or officers serving subpoenas [attachments or warrants] shall be paid out of the borough treasury upon orders signed by a majority of the auditors and drawn on the borough treasury the same fees as are payable for rendering similar services in civil proceedings before a justice of the peace and the amount thereof shall be made a part of the charge against any officer who shall be charged by the auditors with any balance Provided That any such costs shall have been incurred in establishing said balance [and upon] Upon collection [thereof] of any such costs from any officer they shall be repaid into the borough treasury

Section 1053 Auditors To Settle Accounts Where Witnesses Do Not Appear If any person in possession of books vouchers or papers relative to public accounts before

auditors shall refuse to produce the same or if any officer whose accounts are to be settled and adjusted by such auditors shall refuse to attend or submit to examination as is hereinbefore directed the auditors or a majority of them [shall] may proceed by the examination of witnesses and other evidence to ascertain and settle as near as may be the amount of public money received by such officer and its application to public purposes or otherwise

Section 30 Subdivision (e) Of Article X and Sections 1055 to 1064 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(e)] (d) Controller

Section 1055 Oath and Bond of Controller The borough controller shall before entering upon the duties of his office take and subscribe [the oath prescribed by section one article seven of the Constitution of this Commonwealth] an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity [and] He shall give bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as [they] it may by ordinance direct conditioned for the faithful discharge of his duties The amount of said bond shall be sufficient to adequately protect the borough from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the borough

[The borough controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof and the responsibility of the sureties before the court of common pleas]

Section 1056 Salary of Controller In boroughs having a population of twenty thousand inhabitants or more the salary of the controller shall be one thousand [five] eight hundred dollars In boroughs having a population of fifteen thousand or more but less than twenty thousand inhabitants the salary of the controller shall be [twelve] fifteen hundred dollars In boroughs having a population of ten thousand or more but less than fifteen thousand inhabitants the salary of the controller shall be one thousand two hundred dollars In boroughs having a population of less than ten thousand and not less than five thousand the salary of the controller shall not exceed [seven hundred and fifty] one thousand dollars In boroughs having a population of less than five thousand and not less than two thousand five hundred the salary of the controller shall not exceed five hundred dollars In boroughs having a population of less than two thousand five hundred the salary of the controller shall not exceed [three] five hundred dollars

Section 1057 General Powers and Duties of Controller The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof is made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all of the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual report of his audit and make and publish the annual financial report in the same form and manner and at the same time as in this act required of the auditors or the secretary of the borough

[The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the borough is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the prothonotary of the county in which such borough may be situated a report thereof with-

in sixty days after the beginning of the current fiscal year setting forth an itemized statement of the charges against and credits of said officers and any balance or surcharge against them The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made approved or permitted such expenditure Any balance or surcharge against any such officer shall be entered by the prothonotary as a judgment against him unless he shall appeal from such report as hereinafter provided]

The borough [comptroller] controller shall have supervision and control of the accounts of all departments bureaus and officers of the borough authorized to collect receive or disburse the public moneys or who are charged with the management or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the borough in their hands or under their control showing the amount of cash on hand and the amount deposited in banks and banking institutions [and trust companies] together with the names of such institutions He shall have power to examine every such account of a borough officer in any bank or banking institution [or trust company] to verify the accuracy of the statement of such borough department bureau or officer and it shall be the duty of every such bank and banking institution [or trust company] its officers and agents to furnish full information to the controller in relation to such account No bank or banking institution [or trust company] its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any such account He shall immediately upon the discovery of any default irregularity or delinquency report the same to the borough council He shall also audit and report upon the account of any such officer upon the death resignation removal or expiration of the term of the said officer

Section 1058 Controller May Require Attendance of Witnesses Penalty In the making of any audit or settlement and in the authentication of any account or claim or demand against the borough the controller [of any borough] shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law [county and township] the borough auditors All persons guilty of swearing or affirming falsely before him shall be liable to the penalty for perjury

Section 1059 Controller To Countersign Warrants The borough controller shall countersign all warrants upon the borough treasurer the form thereof to be prescribed by council but no warrant shall be countersigned unless there is money in the treasury to pay the same Whenever a warrant on the treasurer shall be presented to the controller to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or service for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 1060 Controller To Prevent Appropriation Over-drafts The borough controller shall not permit any appropriations made by the council to be overdrawn Whenever an appropriation is exhausted the object of which is not complete he shall immediately report the fact to the council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they are drawn

Section 1061 Amount of Contracts To Be Charged Against Appropriations Every contract involving appropriation of money shall designate the item of appropriation

on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the borough controller on the contract before it shall take effect as a contract and the payment required by such contract shall be made from the fund appropriated therefor. If the controller shall certify any contract in excess of the appropriation made therefor the borough shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved. It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriations have been made.

Section 1062 **Controller's Reports On Borough Finances** [Reports of Financial Condition To Be Made To Department of Internal Affairs] The borough controller shall as often as he may deem expedient or the council shall direct suggest plans to the council for the management and improvement of the borough finances [and he shall make a report verified by oath or affirmation to the council at the first stated meeting in January in each year of the public accounts of the borough and of the trusts in its care exhibiting all the expenditures thereof respectively the sources from which the revenue and funds are derived and the manner in which the same have been disbursed. Each account shall be accompanied by a detailed statement of the several appropriations made by councils the amount drawn on each appropriation and the balance standing to the debit or credit of such appropriation. The report shall be published at the expense of the borough once a week for two weeks in a newspaper circulating generally in the borough].

The controller shall also annually within ninety (90) days after the close of the fiscal year make a report to the Department of Internal Affairs of the financial condition of the borough in manner and form required to be made by borough secretaries as hereinbefore provided and subject to the same penalties for refusing or neglecting to file such report.]

Section 1063 **Books To Be Kept By Controllers** The borough controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the borough all trusts in the care of the same all debts due and owing the borough all receipts and expenditures of the various departments of the borough government and all appropriations made by council and the sums under the same respectively.

Section 1064 **Appeals From Controllers' Report** [Bond] [It shall be lawful for the borough or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit as filed in the office of the prothonotary to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office. The appeal shall be filed to the same number and term in which the report has been filed. If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained.]

Appeals may be taken from the settlement and audit of the controller as shown in the controller's report to the court of common pleas of the county by the same persons in the same manner within the same time subject to the same conditions and procedure and with like effect in every respect as in this act provided in the cases of appeals from the settlement and audit of the auditors as shown in their report.

Section 31 Sections 1065 1066 1067 1068 and 1069 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed.

Section 32 Sections 1070 Subdivision (f) Section 1075 and Subdivision (g) and Section 1080 of said act of May 4

1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 1070 **Acceptance of Article By Ordinance** The foregoing provisions of subdivision [(e)] (d) of this article shall not become operative or effective in any borough not having a controller until the council shall by ordinance accept the provisions of subdivision [(e)] (d) of this article. When any borough accepts the provisions of subdivision [(e)] (d) of this article the court of quarter sessions upon petition of council shall appoint a controller to hold office until the first Monday of January next succeeding the next municipal election at which a controller may be elected under the provisions of this act.

In all boroughs accepting the provisions of subdivision [(e)] (d) of this article the borough auditors then in office shall continue to hold their office until the first day of January succeeding the election of a borough controller after which date the office of borough auditor is abolished.

A borough may discontinue the office of controller and reestablish the office of auditors by repealing the ordinance under which the office of controller was created. In any such case the controller in office at the time of such repeal shall continue in such office until the end of [such] his term.

[(f)] (e) Assessors

Section 1075 **Powers Of Assessors** The assessors shall have all the powers perform all the duties be subject to all the obligations and receive the same compensation as is now provided by law relative to the assessment of property and persons for county borough school and [poor] institution district purposes.

[(g)] (f) Tax Collector

Section 1080 **Powers And Duties of Tax Collector** The tax collector shall be the collector of all State county borough school [poor] institution district and other taxes levied within the borough by the authorities empowered to levy taxes. He shall in addition to the powers authority duties and responsibilities provided for by this act have all the powers perform all the duties and be subject to all the obligations and responsibilities for the collection of such taxes as are now vested in conferred upon or imposed upon tax collectors [for county purposes] by law.

Section 33 Section 1081 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed.

Section 34 Sections 1101 to 1115 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XI

Powers [and] Duties and Rights of Appointed Officers and Employees

(a) General Provisions

Section 1101 **Compensation** Appointed officers and employees of the borough shall receive such compensation for their services as the council shall prescribe.

Section 1102 **Accounts** All officers and employees appointed by the borough council shall whenever directed render their accounts to the council for settlement.

Section 1103 **Bonds** Whenever an appointed officer or employee [or official] of any borough [whether chosen by vote of the electors or by council] is required to give bond [endorsed by a surety company] for the faithful performance of his duties the borough may pay the premium thereon.

Section 1104 **Appointments Incompatible Offices** Unless there [be] is incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau or other agency created by or for the borough of any borough office created or authorized by statute and may accept appointments thereunder [provided] but no burgess or councilman shall receive compensation therefor. Where there is no incompati-

bility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities [or by the corporate officers] may hold two or more appointive borough offices But no burgess or member of council may serve as borough manager or as secretary or treasurer and the offices of secretary and treasurer shall not be held by the same person [Provided That nothing] Nothing herein contained shall affect the eligibility of any borough official to hold any other public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending a meeting at which the appointment is made unless a different vote is required by statute [and all] All appointments to be made by the council or the corporate [officers or corporate] authorities shall be made by a majority of the members of council attending a meeting at which the appointment is made unless a different vote is required by statute

Section 1104.1 Compensation To Aged Employees By ordinance a borough may provide for compensation to appointees and employees of not less than ten [(10)] years of satisfactory service and who are not less than sixty [(60)] years of age a proportion of the compensation last paid to them but not in excess of fifty per centum (50%) thereof as fixed in said ordinance or amendment thereto [Provided That the] The expenditures herein authorized shall be paid out of the general tax levy for the current expenditures of the year and not by any special tax therefor [Provided further That nothing] Nothing herein shall preclude any appointee or employee of the borough from joining in any pension system or municipal retirement system that the borough may adopt The true intent and purpose hereof is to permit boroughs without exceeding the present general tax limitation to pay to servants in their employ who are too old to advantageously join any pensioning or retirement system a reasonable annuity in lieu of joining a pensioning or retirement system and who are not and cannot now be socially protected by any Federal security system now applicable to persons not employed by municipalities

(b) Treasurer

Section 1105 Bond and Duties The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough council [and] conditioned for the faithful performance of his duties [he shall perform the duties of the township treasurer within the borough except as may be otherwise provided in this act] He shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors or controller he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer or other person for the use of the borough shall be forthwith paid to the borough treasurer He shall deposit all moneys received by him in a bank or banking institution [or trust company] in the name of the borough All expenditures shall be paid out of funds in the treasury only when authorized by the treasurer upon an order signed by the president of council and the borough secretary and also by the borough controller if any Such order shall not be executed unless there is money in the treasury available therefor

Section 1106 Compensation The borough treasurer shall receive such compensation as the council shall prescribe not exceeding however two per centum of the amount of funds paid out by him upon borough orders or warrants [Provided That] but no compensation or commission shall be allowed to any borough treasurer on account of any balance in his hands paid over to his successor or on account of the repayment of any loan or redemption of bonds or on account of any transfer from or to the sinking or other fund [or to or from any other fund] whether upon order or warrant or otherwise

(c) Secretary

Section 1110 Duties The secretary shall attend all meetings of the borough council and shall keep full minutes of [their] its proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for the purpose he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation [ordinances] resolution ordinance or proceeding of the borough under the seal thereof which copies when so certified shall be [admitted] admissible in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all [enactments] ordinances and attest the same by his signature He shall file of record [the] proof of service of all notices required by law and [the] his certificate thereof shall be good evidence of such notice He shall purchase [to be paid by] at the expense of the borough such dockets books forms and files not to exceed twenty-five dollars in any one year as he may deem suitable to his office to be and remain the property of the borough He shall deliver to his successor the seal and all books papers and other records and things belonging to the borough

Section 1111 Records Open To Inspection The fiscal records and documents and the minute book and other records and documents of every borough shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor

(d) Street Commissioner

Section 1115 Appointment On the first Monday of January or within thirty days thereafter of each [even-number] even-numbered year the borough council may appoint one person as street commissioner who shall serve for a term of two years or until his successor shall qualify

Section 35 Section 1116 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 36 Sections 1120 to 1129 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(e) Solicitor

Section 1120 Election Vacancies The Borough council on the first Monday of January in any even-numbered year or as soon thereafter as practicable may elect [by a vote of a majority of the members] one person learned in the law who shall be styled the borough solicitor and who shall serve for the term of four years from the first Monday of January of the even-numbered year in or succeeding which he was elected and until his successor qualifies Vacancies in the office of borough solicitor shall be filled by the council for the unexpired term

Section 1121 Bond The borough solicitor shall if council so requires give a bond to the borough with two or more sureties or one [trust or] bonding company to be approved by the council in such sum as it shall [by ordinance] direct conditioned for the faithful performance of his duty

Section 1122 Solicitor To Have Control of Law Matters The law matters of the borough shall be under the superintendence discretion and control of the borough solicitor and no department or officer of the borough except as herein otherwise provided shall employ an additional counsel without the assent or ratification of the council

Section 1123 Duties of Solicitor The borough solicitor when directed or requested so to do by council or the burgess shall prepare or approve such bonds obligations contracts leases conveyances ordinances and assurances to which the borough or any department thereof may be a party [as may be directed by ordinance or resolution he shall commence and prosecute all actions brought by the borough for or on account of any of the estates rights trusts privileges claims or demands as well as defend all

actions or suits against the borough or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or accounts of the borough or any department thereof may be brought in question before any court of the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the council or the burgess [or by ordinance or resolution] He shall whenever required furnish the council the committees thereof the burgess or the heads of departments with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

(f) Police

Section 1125 Appointment Suspension Reduction Discharge Powers Burgess To Have Control Borough councils may subject to the civil service provisions of this act if they be in effect at the time appoint and remove or suspend or reduce in rank one or more suitable persons citizens of this Commonwealth as borough policemen who shall [have the power to arrest persons] be ex-officio constables of the borough and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or for violating any ordinance of the borough for the violation of which [may subject persons to arrest] a fine or penalty is imposed and not withstanding any statute pertaining to the same or similar offenses Any person so arrested shall be received for confinement by the keepers of the jails lockups or station houses within the county

The borough council may designate one of said policemen as chief of police

The burgess of the borough shall have full charge and control of the chief of police and the police force and he shall direct the time during which the place where and the manner in which the chief of police and the police force shall perform [its] their duties

Policemen shall have authority to serve and execute all criminal process for the violation of borough ordinances which may be issued by the burgess and shall charge the same fees and costs as constables of the borough but such fees and costs shall be collected by the burgess and by him paid into the borough treasury

The borough may by ordinance establish a police department consisting of chief captain lieutenant sergeants [and] or any other classification desired by the council and council may subject to the civil service provisions of this act if they be in effect at the time designate the individuals assigned to each office but the burgess shall continue to direct the manner in which the persons assigned to the office shall perform their duties The burgess may however delegate to the chief of police or other officers supervision over and instruction to subordinate officers in the manner of performing their duties [By motion council may fix an hourly or daily wage to be paid to special policemen whose appointment is hereby authorized to be selected by the] The burgess may appoint special policemen during an emergency in which the safety and welfare of the borough and the public is endangered

The borough council may assign the chief of police or any member of the police force to undergo a course of training at any training school for policemen established and made available by the state or federal government and may provide for the payment by the borough of his expenses while in attendance in such school

Section 1126 Police Badge The borough policemen shall when on duty wear a shield or badge with the [words "borough police" and the name of the borough for which they are appointed inscribed thereon] word "police" inscribed thereon

Section 1127 Suspension by Burgess The burgess may

for cause and without pay suspend any policeman until the succeeding regular meeting of the council at which time or thereafter the council may subject to the civil service provisions of this act if they be in effect at the time suspend discharge reduce in rank or reinstate such policeman

Section 1128 Compensation The borough police and special policemen appointed by the burgess shall receive compensation to be fixed in the same manner as the compensation of other appointed borough officers is fixed

Section 1129 Office of Police and Constable Not Incompatible Borough policemen residing in the borough may at the same time hold and exercise the office of constable in the borough or any ward thereof and may demand and receive all costs fees and emoluments pertaining to such office.

Section 37 Section 1130 of said act of May 21 1937 (P. L. 761) be and the same is hereby repealed

Section 38 Section 1131 to 1162 inclusive of said act are hereby reenacted revised and amended and section 1137 is added to read as follows

Section 1131 Police Pension Fund [Boroughs may] Where a police force is being maintained the borough may by ordinance establish a police pension fund [to be maintained by] into which each member of the police force shall pay an equal and proportionate monthly charge [against each member of the police force] not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the borough council or such committee as it may designate and shall be applied under such regulations as the council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 1132 Service Required Before Retirement The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years after which members of the force may be retired from active duty Borough policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

Section 1133 Pension Allowance The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 1134 Pension Not to be Charged on Other Funds Payments made on account of police pensions shall be a charge on no fund in the treasury of the borough or under its control other than the police pension fund

Section 1135 Gifts to Pension Fund Boroughs may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the borough shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 1136 Rights of Members No Person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say conviction of a crime or misdemeanor becoming an habitual drunkard becoming a non-resident of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordi-

nance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1137 Annuity Contracts in Lieu of Establishing a Police Pension Fund Boroughs may provide annuity contracts for the purpose of paying pensions or annuities to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in service

(g) Borough Manager

Section 1140 Borough Manager May Be Created by Ordinance Election The council of any borough may at its discretion at any time create by ordinance the office of borough manager and may in like manner abolish the same While said office exists the council shall from time to time and whenever there is a vacancy elect by a vote of a majority of all the members one person to fill said office who shall serve until the first Monday of January of the even-numbered year succeeding his election and until his successor qualified subject however to removal by the council at any time by a vote of the majority of all the members

Section 1141 Powers and Duties Bond The powers duties and compensation of the borough manager shall be regulated by ordinance The council and the burgess when authorized by ordinance [the burgess] may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the borough manager He shall give a bond to the borough with one or more sureties or one [trust or] bonding company to be approved by the council in such sum as it shall by ordinance direct conditioned for the faithful performance of his duties

Section 1142 Other Offices Not Incompatible The offices of borough manager street commissioner secretary treasurer and chief of police shall not be deemed incompatible and any two or more or all of the said offices may be held by one person except the offices of secretary and treasurer shall not be held by the same person Neither the burgess nor any member of the borough council shall be eligible to hold the office of borough manager

(h) Borough Planning Commission

Section 1145 Creation of Borough Planning Department Appointment of Commissioners Power No Compensation The council of any borough may at any time create by ordinance a department to be known as the Department of Borough Planning which shall be in charge of a Borough Planning Commission consisting of five persons to be appointed by [the burgess and councils] council In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a [casual] vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the borough and the laws of the Commonwealth They shall serve without compensation and make annually to the [burgess and councils] council a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission where approved by council shall be provided for through proper appropriation by [councils] council They may contact for professional planning services the costs and expenses of which when approved by council shall be provided for through proper appropriation by council

Section 1146 Commission to Receive Copies of Ordinances Action Thereon The secretary of council shall upon introduction furnish to the Borough Planning Commission for its consideration a copy of all proposed ordinances [and bills] and all amendments thereto relating to the location

of any public building of the borough and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the borough plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to [councils] council in writing within ten days from the introduction of said ordinances but such disapproval shall not operate as a veto

Section 1147 Maps Recommendations The Borough Planning Commission may make or cause to be made and lay before [councils] council and at its discretion [and] cause to be published maps of the borough or any portion thereof including territory extending three miles beyond the borough limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public building civic centre street parkway park playground or any other public ground or public improvement or any widening extension or relocation of the same or any change in the borough plan by it deemed advisable and it may make recommendations to [councils] council from time to time concerning any such matters and things aforesaid for action by [councils] council [thereto] thereon and in so doing have regard for the present conditions and future needs and growth of the borough and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 1148 Recommendations to Private Persons Et Cetera The Borough Planning Commission may make recommendations to any public authorities or any corporations or individuals in said boroughs with reference to the location of any buildings structures or works to be erected or constructed by them

Section 1149 Plans of Lots Et Cetera to be Submitted Before Recording Approval of Sewers Et Cetera All plans plots or replots of lands laid out in building lots and the streets [alleys] or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the borough limits shall be submitted to the Borough Planning Commission and approved by it before [it] they shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the Borough Planning Commission The disapproval of any such plan by the Borough Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the borough concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the borough shall have made actual appropriations of the same by entry use or improvements No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit or connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved

Section 1150 [Ordinances to Conform Action Eligibility of Commissioners] Exercise of Planning Commission Functions by Other Agencies It shall be proper for said boroughs to provide by ordinance for the exercise of all rights and powers herein conferred upon the Borough Planning Commission by a park commission or kindred municipal bureau or commission authorized under existing laws [And no person holding office under the government of

any of said boroughs except the burgess or members of councils shall be eligible to serve as a member of a Borough Planning Commission]

(i) Bureau of Mine Inspection and Surface Support

Section 1155 Ordinance Creating Boroughs within the limits of the anthracite region of the Commonwealth may by ordinance create a bureau of mine inspection and surface support

Section 1156 Bureau How Constituted The bureau shall consist of one practical mining engineer to be appointed by the burgess with consent of the council and such assistants clerks and employes as the council may provide The officers and employes of the bureau shall receive such compensation as may be prescribed by council

Section 1157 Inspection of Mines Members of the bureau may enter inspect examine and survey any mine or colliery within the limits of the boroughs at all reasonable times either by day or night but not so as to impede nor obstruct the workings of the mine or colliery and may take with them such other persons as may be necessary for the purpose of making an examination or survey The owner operator or superintendent of such mine or colliery shall furnish the means necessary for such entry inspection examination survey and exit

Section 1158 Operators to Furnish Maps Contents The owner operator or superintendent of every coal mine or colliery within three months after the passage of an ordinance by any borough creating such bureau shall make or cause to be made and furnish to such bureau an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch The map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall show in degrees the general inclination of the strata with any material deflection therein in the workings or excavations and shall also show the tidal elevations of the bottom of every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the bureau The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 1159 Extensions to be Placed on Maps Every mine owner operator or superintendent shall place or cause to be placed upon the map of the bureau at least once in every three months all the extensions made in any mine within the limits of such borough during the three preceding months except those made within thirty days immediately preceding the time of placing such extensions upon the said map

Section 1160 Certain Surface Supports Not to be Removed It shall be unlawful for any person copartnership association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath the public highway streets alleys courts and places of any borough in the anthracite region to such an extent and in such a manner as to thereby remove the necessary support of the surface without having first placed or constructed an artificial permanent support sufficient to uphold and preserve the stability of the surfaces of such public highways streets alleys courts and places

Section 1161 Penalty Any person being the general manager superintendent or person in charge of the work of any corporation copartnership or association violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction [before a justice of the peace of the borough] thereof shall be sentenced for such offense to pay a fine not exceeding one thousand dollars or to undergo imprisonment in the county jail for a period not exceeding ninety days or both All fines imposed under this section shall be paid into the treasury of the borough

Section 1162 Enactment of Ordinances Borough councils may enact such ordinances as may be necessary for

the enforcement of the provisions of this article

Section 39 The said act of May 4 1927 (P. L. 519) is hereby revised and amended by adding subdivision (j) and Section 1165 to 1190 inclusive to Article XI of said act as follows

(j) Civil Service for Police and Firemen

Section 1165 Appointments of Police and Firemen This subdivision (j) of this article shall not apply to any borough having a police force of less than three members or to volunteer departments or companies employing their own operators or to boroughs having less than three salaried operators of fire apparatus this subdivision (j) of this article is subject as heretofore to the power of council to determine compensation Hereafter each and every appointment to and promotion in the police force or as fire apparatus operators paid directly by the borough in every borough shall be made only according to qualifications and fitness to be ascertained by examinations which shall be competitive as hereinafter provided

No person shall hereafter be suspended removed or reduced in rank as a paid employe in any police force or as a paid operator of fire apparatus of any borough except in accordance with the provisions of this subdivision

Section 1166 Civil Service Commission Created Appointments Vacancies There is hereby created in each borough where a police force or paid fire apparatus operators as hereinbefore provided are being maintained a civil service commission hereinafter referred to as the commission The commission shall consist of three commissioners who shall be qualified electors of the borough and shall be appointed by the borough council initially to serve for the terms of two four and six years and as terms thereafter expire shall be appointed for terms of six years

Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within the period of thirty days after such vacancy occurs

Each member of the commission created by this subdivision before entering upon the discharge of the duties of his office shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity

Section 1167 Offices Incompatible with Civil Service Commissioner No Commissioner shall at the same time hold an elective or appointed office under the United States government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the council of the borough

Section 1168 Organization of Commission Quorum The commission first appointed shall organize within ten days of its appointment and shall elect one of its members as the chairman and one as the secretary The commission shall thereafter meet and organize on the first Monday of each even-numbered year Each commissioner shall be notified in writing of each and every meeting Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 1169 Clerks and Supplies Etc The borough shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The borough shall provide a suitable and convenient room for the use of the commission The commission shall order from the borough the necessary stationery postage printing or supplies and the elected and appointed officials of every such borough shall aid the commission in all proper ways in carrying out the provisions of this subdivision relating to civil service

Section 1170 Rules and Regulations The commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this subdivision and shall be governed thereby Before any such rules and regulations are in force the same shall first be approved by the council of the borough When

such rules and regulations have been so approved they shall not be annulled amended or added to without the approval of the said council All rules and regulations and modifications thereof shall be printed for public distribution at the expense of the borough

Section 1171 Minutes and Records The commission shall keep minutes of its proceedings and records of examinations and other official actions All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be subject to reasonable regulation and open to public inspection

Section 1172 Investigations The commission shall have power to make investigations concerning all matters touching the administration and enforcement of the civil service provisions of this article and rules and regulations adopted thereunder The chairman of the commission is hereby given power to administer oaths

Section 1173 Subpoenas The commission shall have power to issue subpoenas over the signature of the chairman to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expenses of the commission

All officers in public service and employes shall attend and testify when required to do so by the commission

If any person shall refuse or neglect to obey any subpoena issued by the commission he shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not to exceed one hundred dollars (\$100.00) and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty days

If any person shall refuse or neglect to obey any subpoena issued by the commission it may apply by petition to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers necessary and in default thereof shall be held in contempt of court

Section 1174 Annual Report The commission shall make an annual report to the council containing a brief summary of its work during the year which shall be available for public inspection

Section 1175 General Provisions Relating to Examinations The commission shall make rules and regulations to be approved as provided in section 1170 hereof providing for the examination of applicants for positions in the police force and as paid operators of fire apparatus and for promotions which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the borough or in a newspaper circulating generally in the borough at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination Persons male or female who served in the

military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by law

Section 1176 Application for Examination Each person desiring to apply for examination shall file with the commission a formal application in which the applicant shall state under oath or affirmation (a) his full name and residence or post office (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years and (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

Section 1177 Rejection of Applicant Hearing The commission may refuse to examine or if examined may refuse to certify after examination as eligible any applicant who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or narcotic drugs or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose policies or activities are subversive to the form of government set forth in the constitutions and laws of the United States and Pennsylvania

If any applicant or person himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible after examination the commission shall at the request of such person within ten (10) days appoint a time and place where he may appear personally and by counsel Whereupon the commission shall then review its refusal to make such examination or certification and take such testimony as may be offered The decision of the commission shall be final

Section 1178 Manner of Filling Appointments Every position or employment in the police force or as paid operators of fire apparatus except that of chief of police or chief of the fire department or equivalent shall be filled only in the following manner the council shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average The council shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 1177 of this act Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name stricken off As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the appointive power may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a non-competitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this act

Section 1179 Age Applicants Residence No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of application and has been a resident of the borough for at least one year pre-

ceding immediately his application unless no such resident applicants are available

Section 1180 Probationary Period All original appointments to any position in the police force or as paid operators of fire apparatus shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for a cause specified in section 1177 of this act If at the close of a probationary period the conduct or fitness of the probationer has not been satisfactory to the council the probationer shall be notified in writing that he will not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

Section 1181 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the council may nominate a person to the commission for noncompetitive examination and if such nominee shall be certified by the commission as qualified after such noncompetitive examination he may be appointed provisionally to fill such vacancy It shall thereupon become the duty of the commission within three weeks to hold a competitive examination and certify a list of eligibles and a regular appointment shall then be made from the name or names submitted by the Commission Provided however That nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in cases of riot or other emergency or of operators of fire apparatus in emergency cases

Section 1182 Promotions Promotions shall be based on merits to be ascertained by examinations to be prescribed by the commission All questions relative to promotions shall be practical in character and such as will fairly test the merit and fitness of persons seeking promotion

The council shall have power to determine in each instance whether an increase in salary shall constitute a promotion

Section 1183 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the commission No person shall be eligible to take an examination until said doctor certifies that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired

Section 1184 Removals No person employed in any police or fire force of any borough shall be suspended removed or reduced in rank except for the following reasons (1) physical or mental disability affecting his ability to continue in service in which cases the person shall receive an honorable discharge from service (2) neglect or violation of any official duty (3) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony (4) inefficiency neglect intemperance disobedience of orders or conduct unbecoming an officer (5) intoxication while on duty (6) engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage A person so employed shall not be removed for religious racial or political reasons A written statement of any charges made against any person so employed shall be furnished to such person within five days after the same are filed

If for reasons of economy or other reasons it shall be deemed necessary by any borough to reduce the number of paid employees of the police or fire force then such borough shall apply the following procedure (a) if there are any employees eligible for retirement under the terms of any retirement or pension law then such reduction in numbers shall be made by retirement if the party to be retired is sixty-five years of age or over (b) if the number of paid employees in the police force eligible to retirement is insufficient to effect the necessary reduction in numbers or if there are no persons eligible for retirement

or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed to the respective force Such removal shall be accomplished by furloughing in numerical order commencing with the man last appointed until such reduction shall have been accomplished In the event the said police force shall again be increased the employes furloughed shall be reinstated in the order of their seniority in the service

Section 1185 Hearings on Dismissals and Reduction If the person suspended removed or reduced in rank shall demand a hearing by the commission the demand shall be made to the commission Such person may make written answers to any charges filed against him not later than the day fixed for hearing the commission shall grant him a hearing which shall be held within a period of ten days from the filing of charges in writing unless continued by the commission for cause at the request of the council or the accused At any such hearing the person against whom the charges are made may be present in person and by counsel The council may suspend any such person without pay pending the determination of the charges against him but in the event the commission fails to uphold the charges then the person sought to be suspended removed or demoted shall be reinstated with full pay for the period during which he was suspended removed or demoted and no charges shall be officially recorded against his record

A stenographic record of all testimony taken at such hearings shall be filed with and preserved by the commission which record shall be sealed and not be available for public inspection in the event the charges are dismissed

In the event the commission shall sustain the charges and order the suspension removal or reduction in rank the person suspended removed or reduced in rank shall have immediate right of appeal to the court of common pleas of the county and the case shall there be determined as the court deems proper No order of suspension made by the commission shall be for a longer period than one year Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and such additional proof or testimony as the parties concerned may desire to offer in evidence The decision of the court affirming or revising the decision of the commission shall be final and the employe shall be suspended discharged demoted or reinstated in accordance with the order of the court

The council and the person sought to be suspended removed or demoted shall at all times have the right to employ counsel before the commission and upon appeal to the court of common pleas and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law

Section 1186 Present Employees Exempted All appointments in the police or fire forces of boroughs including the chief of police or equivalent official upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion Provided however That this section shall not be construed to apply to persons employed temporarily in emergency cases

Section 1187 Discrimination on Account of Political or Religious Affiliations No question in any form of application for examination or in any examination shall be so framed as to elicit information concerning the political or religious opinions of any applicant nor shall inquiry be made concerning such opinion or affiliations and all disclosures thereof shall be discountenanced

No discrimination shall be exercised threatened or promised by any person against or in favor of any applicant or employe because of political or religious opinions

or affiliations or race and no offer or promise of reward favor or benefit directly or indirectly shall be made to or received by any person for any act done or duty omitted or to be done under this subdivision of this article

Section 1188 Penalty Any councilman who by his vote causes to be appointed any person to the police force or as a fire apparatus operator contrary to the provisions of this act or any councilman or member of the commission who wilfully refuses to comply with or conform to the provisions of subdivision (j) of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred (\$100.00) or suffer imprisonment not exceeding three months or both

Section 1189 Salaries of Civil Service Commission The civil service commissioners of boroughs shall receive no compensation

Section 1190 Police Force and Fire Apparatus Operators Defined Police force as used in subdivisions (i) and (j) of this article shall mean a police force organized and operating as prescribed by law the members of which devote their normal working hours to police duty or duty in connection with the bureau agencies and services connected with police protection work and who are paid a stated salary or compensation for such work by the borough

Fire apparatus operators as used in this subdivision (j) of this article shall mean any person who operates fire apparatus and devotes his normal working hours to operating any piece of fire apparatus or other services connected with fire protection work and who is paid a stated salary or compensation for such work done by the borough

Section 40 Sections 1201 and 1202 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XII

Corporate Powers

Section 1201 General Powers A borough may

I Have succession perpetually by its corporate name
II Sue and be sued and complain and defend in the courts of the Commonwealth

III Make and use a common seal and alter the same at pleasure

IV Purchase acquire by gift or otherwise hold lease let and convey such real and personal [estate as the purposes of the borough shall require] property as shall be deemed to be to the best interests of the borough

Section 1202 Specific Powers [The words "corporate authorities" or "corporate officers" when applied to boroughs shall mean the borough council even though the action undertaken is by ordinance and subject to the approval or veto of the burgess The legislative powers of boroughs including any capital expenditures not payable out of the current funds for the year shall be exercised by or based upon an ordinance and all other powers by vote of the majority of council present at a meeting unless otherwise prescribed Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor is previously given or the action is subsequently ratified by council As thus defined borough shall have power] The powers of the borough shall be vested in the corporate officers They shall have power

I Street Sewer Building Et Cetera Regulations To regulate the [roads] streets [lanes alleys common] sewers public squares common grounds [footwalks] sidewalks curbs gutters culverts and drains and the heights grades widths slopes and [forms] construction thereof and to prohibit the erection or construction of any building or other obstruction to the convenient use of the same

II Fees for Service of Officers To prescribe reasonable fees for the services of their officers in the adjustment of grades curbs lines of streets and the like and to enforce the payment of the same

III Water Supply To provide a supply of water for the use of the inhabitants and to make regulations for the

protection of the pipes reservoirs and other constructions or apparatus and to prevent the waste of water so supplied

IV [Night Watch To establish a night watch] Police Force To establish a police force

V Street Lighting To provide street lights and to make regulations for the protection thereof and upon the petition of a majority of abutting property owners of the section affected to provide for the ornamental illumination of any section of the borough and to collect the cost of the installation of such illumination from the owners of property fronting the streets upon which the same is installed by the foot-front rule

VI Comfort Stations To construct and maintain [in any of the highways] within the borough limits comfort and waiting stations and drinking fountains The damages accruing to abutting properties by reason of any such improvements shall be ascertained and collected in the manner provided in article fourteen of this act

VII Watering Troughs To erect and maintain watering troughs

VIII Nuisances To prohibit and remove any obstruction or nuisance in the [highways] streets of the borough

IX Nuisances and Dangerous Structures To prohibit and remove any nuisance or dangerous structure on public or private grounds or to require the removal of the same by the owner or occupier of such grounds in default of which the borough may cause the same to be done and collect the cost thereof together with a penalty of [twenty] ten per centum of such cost in the manner provided by law for the collection of municipal claims or by action of assumpsit or may seek relief by bill in equity

X Hogs To prohibit the keeping of hogs within the borough or within any part of the borough

XI Cesspools and Drain Regulations To make regulations respecting vaults cesspools plumbing and drains

XII Manure and Compost Regulations To make regulations relative to the accumulation of manure compost and the like

XIII Garbage and Rubbish To prohibit accumulations of garbage or rubbish upon private properties and to prescribe penalties for the enforcement thereof

XIV Removal of Garbage Et Cetera To make regulations for the care and removal of garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and to prescribe fines and penalties for the violation of such regulations

XV Garbage Plants To erect maintain and operate garbage-plants either within or without the limits of the borough or to provide other means for the collection destruction or removal of garbage and other refuse material and to provide for the payment of the cost or expense thereof either in whole or in part out of the funds of the borough

XVI Noxious and Offensive Businesses To prohibit within the borough the carrying on of any manufacture art trade or business which may be noxious or offensive to the inhabitants

XVII Health and Cleanliness Regulations To make such [other] regulations as may be necessary for the health safety morals general welfare and cleanliness and the beauty convenience comfort and safety of the borough

XVIII Fire Regulations To make regulations within the borough or within such limits thereof as may be deemed proper relative to the cause and management of fires and the prevention thereof

XIX Fire Apparatus and Houses To purchase or contribute to the purchase of fire-engines and fire-apparatus and supplies for the use of the borough and to appropriate money to fire companies and for the construction repair and maintenance of fire company houses

XX Wooden Structures To prohibit or regulate erection of wooden buildings and structures

XXI Buildings and Building Inspection To make regulations for the construction of new buildings and repair of old ones and to require that before the work begins [municipal] approval of the plans and specifications therefor be secured and to provide for the inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein

none but buildings of non-combustible material and fire-proof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes specified in this clause is declared to be a public nuisance and abatable as such

XXII Inflammable Articles To prohibit the manufacture sale [for exposure of fireworks or other] or storage of inflammable or dangerous articles to prescribe the quantities of inflammable articles that may be kept in place and to prescribe such other safeguards as may be necessary

XXIII Party Wall and Fence Regulations To make regulations respecting partition fences and the foundations and party-walls of buildings

XXIV Fees of Officers To prescribe reasonable fees for the service of [their] borough officers in the adjustment of party walls partition fences and the like and to enforce the payment of the same

XXV Building Lines By suitable ordinance to establish and maintain uniform building lines upon any or all [public] streets [roads highways lanes and alleys] of said boroughs [and townships]

XXVI Licensing Amusements To regulate license fix the time of opening and closing or prohibit theatrical exhibitions amusements dances at which an admission or other fee is charged and other exhibitions to regulate [and] license and to fix the time of opening and closing of pool-rooms billiard-rooms shooting galleries skating rinks and [tenpin] bowling alleys

XXVII Markets [and] Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale and to provide for the inspection of milk and to purchase and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe to provide and enforce suitable regulations [of] respecting said market houses and market places and to provide for the payment of the cost or expense thereof either in whole or in part out of the funds of the borough and to levy and collect a suitable license tax from every person [or persons] who may be authorized by council to occupy any portion of said market houses or market places or any portion of the streets or sidewalks for temporary market purposes

XXVIII [Weights and Measures To regulate the scales weights and measures according to the standard of the Commonwealth to provide for the confiscation of false weights and measures and to regulate the inspection and measurement or weight of articles offered for sale in the borough] joint municipal agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to such political subdivisions

XXIX Insurance on Property To make contracts of insurance with any mutual or other fire insurance company association or exchange duly authorized by law to transact insurance business in the Commonwealth of Pennsylvania or any building or property owned by the borough

XXX [Compensation] Other Insurance To appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen killed or injured while going to returning from or attending fires [in the borough or territory adjacent thereto] To make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring borough employees or any class or classes thereof under a policy or policies of insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the

pensioning of such employees and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the borough treasury for such purposes

XXXI Appropriations to County Borough Associations To appropriate annually a sum of money not exceeding seventy-five dollars for the support of any association composed of electors of the several boroughs cities of the third class and townships within the county formed for the study and investigation of the welfare economics management and government of boroughs cities of the third class and townships and for the protection and safeguarding of the rights and franchises of boroughs and townships and for the purpose of recommending legislation beneficial to boroughs and townships or any one or more of such purposes and also annually a sum of money not exceeding seventy-five dollars [(\$75.00)] for the support of an association composed of elected and appointed borough officials in a particular county or in several adjoining or nearby counties organized for the purpose of furthering the interests of the boroughs in the association and their inhabitants Within the aforesaid limit the association may fix the scale of annual dues on a population or other reasonable basis but each borough member shall have an equal voice in its affairs

The association may adopt its own plan of organization government and procedure and provide means of stimulating interest and attendance at meetings and provide for help and instruction to its members Appropriations when made to county associations shall hereafter be under its control either through authorization of expenditure or by subsequent ratification A county association may affiliate itself with other political subdivisions when mutual municipal or public interests are involved and may withdraw therefrom

XXXII Dogs To prohibit or regulate the running at large of dogs and in the enforcement of such regulations to direct the killing of dogs or their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the borough

XXXIII Animals To prohibit and regulate the running at large of other animals and to authorize their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the borough

XXXIV Fines and Forfeitures To impose fines and penalties incurring partial or total forfeitures or to remit the same

XXXV Lockup To provide a lockup for the temporary detention of persons

XXXVI Flags To display the flag of Pennsylvania or the flag of any county city borough or other municipality in the State on the public buildings of the borough

XXXVII Contracts with Railways Et Cetera To enter into contract with any person or company operating a street passenger railway [company] surface elevated or underground or [motor power company] furnishing motor transportation or leasing and operating the franchise and property of such person or company within the limits of the borough regulating the franchises powers duties and liabilities of such persons or companies and the respective rights of the contracting parties Such contracts may inter alia provide for payments by the persons or companies to the borough in lieu of the performance of certain duties or the payment of license fees or charges imposed in favor of such borough or by the characters of [the respective] any such companies or by any general law or ordinances for the appointment by the borough of a certain number of persons to act as directors of any such company in conjunction with the directors elected by the stockholders of such company and may further provide for the ultimate acquisition by the borough upon terms mutually satisfactory of the leaseholds property and franchises of the contracting persons or companies

XXXVIII Eminent Domain For National Guard Purposes To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such

right however shall not be exercised as to any street or wharf [but all other public easements and property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the borough either by domain dedication appropriation statute or otherwise to the contrary notwithstanding]

XXXIX Lands for Armory Purposes To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania to convey such lands so acquired to the Commonwealth of Pennsylvania in order to assist the Armory Board in the erection of armories [The proceedings for the condemnation of lands under the provisions of this clause and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by law for the condemnation of lands for public purposes in boroughs] The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling-house or the curtilage of the same in the actual occupancy of the owner

XL Appropriation of Money Et Cetera to Assist in Erection of Armories To appropriate money or convey land either independently or in conjunction with any county city town borough or other municipal division to the Commonwealth [of Pennsylvania] for the purpose of assisting the Armory Board of the Commonwealth [of Pennsylvania] in the erection of armories for the use of the National Guard and to furnish water sewer service light or fuel free of cost to the Commonwealth [of Pennsylvania] for use in any armory of the National Guard and to do all things necessary to accomplish the purpose of this clause

XLI Appropriations for Memorial Day To appropriate money for the expenses of Memorial Day services

XLII Appropriations to [Posts] Organizations of Veterans To appropriate annually a sum not exceeding five hundred dollars to [each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each Naval Association and to each post of the Disabled American Veterans of the World War] organizations composed of veterans of any war in which the United States was engaged [and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective borough a sum not to exceed two hundred dollars] to aid in defraying the expenses of Memorial Day [and] Armistice Day or any similar day hereafter provided for by State or Federal Law Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

XLIII [Appropriations to Grand Army Posts To make and they are hereby so required annual appropriations to each post of the Grand Army of the Republic in the borough in a sum not exceeding fifty dollars to aid in defraying expenses of Memorial Day and if there is no post in said borough then said appropriation may be made to a post in any municipality or township to be designated by the council] Parking lots To acquire by lease purchase or eminent domain any land which the corporate authorities may deem necessary or desirable for the purpose of establishing and maintaining parking lots and to regulate the use thereof and to regulate parking and provide parking accommodations so as to promote the convenience and protection of the public

XLIV Payment of Rent for Veterans' [Posts and Camps] Organizations By a two-thirds vote of the council to appropriate money to any incorporated [camp or post] organization of veterans of any war in which the United States was engaged to be used in the payment of the rent of any building or room or rooms in which such camp or post has its regular meetings

XLV Rooms for Veterans' [Posts and Camps] and Sons of Veterans' Organizations Upon application therefor to furnish to each organization composed of veterans of [the Civil War veterans of the Spanish-American War

veterans of the War with Germany and Austria veterans of any foreign war] any war in which the United States was engaged and sons of veterans a room or rooms in any public building of such borough sufficient for the meeting of each of such organizations at least once each month and in the case of municipally owned utilities to furnish service without charge to such rooms and also to buildings occupied by [posts camps or] organizations of veterans of any war in which the United States was engaged

XLVI Care and Erection of Memorials To take charge of care for maintain and keep in good order and repair at the expense of the borough any soldiers' monument gun or carriage or similar memorial situate in the borough and not in the charge or care of any person body or organization and not put up or placed by the Government of the United States the Commonwealth of Pennsylvania the commissioners of the county or by the direction or authority of any State of the Union and to receive from any person or organization any moneys or funds which can be used for the maintenance of such memorials and to expend the same and to erect [and provide for] or contribute to the erection of memorials in honor of those who served in any war in which the United States was engaged at a cost or in a sum not to exceed one thousand dollars [(\$1000)] and thereafter to properly and adequately maintain the same

XLVII Numbering Buildings To require and regulate the numbering of buildings

XLVIII Municipal Music To appropriate money not in excess of the sum of one thousand dollars [(\$1000)] annually for the expense of municipal music

XLIX Purchase and Planting of Trees Appropriations to Forest Protection Associations To accept purchase and plant or contribute to the purchasing and planting of shade trees along the [highway] streets and sidewalks of the borough [at the expense of the borough and to appropriate moneys to any forest protection association co-operating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work]

L Appropriations for Burial-Ground Maintenance To appropriate annually out of the general funds of the borough a sum not exceeding five hundred dollars [(\$500.00)] for the care upkeep maintenance and beautifying of cemeteries burial-grounds and private roads therein or leading thereto lying wholly or partly within the boundary limits of such borough or in the territory immediately adjacent [or contiguous] to the borough

LI Smoke Regulations To regulate the emission of smoke from chimneys smoke-stacks and other sources Provided however That this clause shall not apply to locomotive smoke-stacks

LII Municipal Claims To file and collect municipal claims for water rents lighting rates and sewer rates in the manner [now] provided by law

LIII [Regulation of Contracts To make to authorize and to ratify expenditures for lawful purposes from funds available therefor out of the current year's revenues or made available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If

for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings. Provided That at least five days' notice thereof shall be published in the newspaper aforesaid.

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void. Provided That delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein.

The contracts or purchases made by any council involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows:

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases or work done.

(b) Those made for improvements repairs or maintenance of any kind made or provided by any borough through its own employes. Provided however That this shall not apply to construction materials used in a street improvement.

(c) Those where particular types models or pieces of equipment articles apparatus appliances vehicles or parts thereof new second hand or rebuilt are desired by council which are patented and manufactured products.

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with any municipal authority those in which another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority is a party or cooperates including herein the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies. Provided however That the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies.

(e) Those involving personal or professional services. Except as herein provided no borough official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested in any contract for the sale or furnishing of any supplies or materials for the use of the borough or for any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the borough is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise. Provided however That in the case of a councilman or burgess if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein. Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the borough out of office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500). Zoning ordinances To adopt and enforce zoning ordinances regulating the location con-

struction and use of buildings the size of courts and open spaces the density of population and the use of lands.

LIV [Bonds for the Protection of Labor and Materialmen] It shall be the duty of every borough to require any person copartnership association or corporation entering into a contract with such borough for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred (\$500) dollars before commencing work under such contract to execute and deliver to such borough in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty (50%) per centum and not more than one hundred (100%) per centum of the contract price as such borough may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the borough for the use of any party interested therein. Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the borough for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof. Provided however That the borough shall not be liable for the payment of any costs or expense of any suit. General powers To make and adopt all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be expedient or necessary for the proper management care and control of the borough and its finances and the maintenance of peace good government safety and welfare of the borough and its trade commerce and manufactures.

LV Disorderly Conduct Ordinances To adopt ordinances defining disorderly conduct within the limits of the borough and to provide in such ordinances for the imposition of penalties for the violation thereof notwithstanding like statutes pertaining to the same or similar offenses.

LVI Community Buildings To purchase and own ground for and to erect establish or purchase a building to be used [as a] for community [building or center] purposes and to maintain the same to provide for the payment of the cost thereof and the expense of such maintenance either in whole or in part out of the funds of the borough.

LVII Creation of Special Funds Investments To set aside in a separate fund any moneys received out of or from the sale lease or other disposition of any borough property or received from any source other than taxation unless such money was received or acquired for a particular purpose. Such fund shall be controlled invested and administered and the income arising therefrom expended in such manner as may be determined by action of the council pursuant to the ordinance creating the fund [and such]. Such ordinance may provide that only the income from such fund may be used or expended and that neither principal nor any part thereof may be used or expended unless upon authorization of a majority vote of the qualified electors of the borough [— in the same manner as an election under the then existing laws of the Commonwealth of Pennsylvania upon a proposed increase in the corporate indebtedness of such borough is required to be submitted to the electorate thereof]. All ordinances heretofore enacted and ordained by any borough creating

and establishing such a separate fund as is authorized by this clause shall be deemed and taken as valid and effectual for all purposes Provided That all other requirements of law concerning the enactment of the same have been complied with

LVIII Inclined Planes To acquire by purchase lease or otherwise from a public service company any existing inclined plane passenger and vehicular traffic transportation facilities and to maintain and operate the same in the transportation of passengers and vehicles for hire and for the accommodation of the public and in like manner to acquire or to establish bus feeder lines and to maintain and operate the same in connection with such inclined plane passenger and vehicular traffic transportation facilities

LVIII.I [A Contract With Adjacent Municipalities for Fire Protection] Joint Contracts for Police and Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided That in connection with such contracts it shall not be necessary to advertise for bids or receive bonds as required for other contracts under existing law

LIX Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the borough by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by [the] proper vouchers to the said borough each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of State moneys

LX Hospital Appropriations [For] In the case of boroughs having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to residents of such borough but no such appropriation shall exceed in any year the cost of free service extended to residents of the borough which is in excess of any amount paid by the Commonwealth towards such free service

LXI Building Codes by Reference To enact and enforce suitable ordinances relating to buildings their construction alteration extension repair maintenance and all facilities and services in or about such buildings and for the enforcement thereof and provide for the enforcement thereof by a reasonable fine and by instituting appropriate actions or proceedings at law or in equity to effect the purpose of this [act] provision and ordinances thereunder At least one week and not more than three weeks prior to the presentation of the proposed building code

ordinance to council and informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed building code may be examined or obtained shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases but may be supplied by reference to a standard building code approved by the Department of Internal Affairs of the Commonwealth or to parts thereof determined by council or the provisions of the ordinances may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the borough council or the provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such ordinance whether by reference to a standard building code or to a typed or printed code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein The procedure set forth relating to the adoption of the ordinance by reference may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

LXII Community Nurse Services To appropriate money not in excess of five hundred dollars [(\$500.00)] annually for the expense of community nurse services

LXIII Community Ambulance Service To appropriate money [not in excess of one thousand dollars (\$1,000.00)] annually [for the expense of the maintenance and support of] towards a nonprofit community ambulance service

LXIV Junk yards to regulate the establishment and maintenance of junk yards salvage yards and other places used and maintained for the collection storage and disposal of used or second-hand goods and materials

LXV Regulation of charges in the operation of its utilities parking meters parking lots or its other facilities and services to the public to make and regulate charges therefor for general borough purposes, in relief of taxes on real estate

Section 41 Sections 1301 1302 1303 and 1304 of article XIII of said act of May 4 1927 (P L. 519) are hereby reenacted revised and amended and Sections 1305 1306 1307 1308 1309 1310 and 1311 are added to said Article XIII as follows

Article XIII

Taxation and Finance

Section 1301 [General Tax Levy] The council of the borough shall have power by ordinance to levy and collect annually [for general borough purposes] any tax not exceeding fifteen [(15)] mills for general borough purposes and in addition thereto such additional millage as may be sufficient to pay interest and sinking fund charges on the indebtedness of the borough where the borough council by majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than fifteen (15) mills but not exceeding five additional mills to be levied The said taxes shall be levied on the dollar on the valuation assessed for county purposes as now is or may be provided by law All real property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for [general borough] such purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a state-

ment expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

[Section 1301.1 Additional Levy The council of the borough shall have power to levy and collect annually on the valuation assessed for county purposes as now is or may be provided by law an additional tax sufficient to pay interest and sinking fund charges on its indebtedness together with any taxes conventioned to be paid thereon and all property offices professions and persons made taxable by the laws of the Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for this additional levy Provided That nothing] Nothing herein contained shall prevent the application of moneys received from taxes levied for general purposes to the purposes of [this additional levy] paying interest and sinking fund charges on indebtedness

Section 1301.1 Additional tax for municipal employes' benefit the council of the borough shall have the power to levy and collect annually on the valuation assessed for general borough purposes as now is or may be provided by law an additional tax not exceeding one-half (½) mill to provide for pensions retirement or the purchase of annuity contracts for municipal employes this tax shall be kept in a separate fund and used only for the purposes herein provided

Section 1302 Special Levy to Pay Debts In addition to the levy provided for in the preceding section when it shall be shown to the court of quarter sessions of the county that [the debts due by any borough exceed the amount which the borough may collect in any one year by taxation or when] the [proper officers] corporate authorities refuse or neglect to levy a sufficient tax to pay the [same] debts due by the borough the court may after ascertaining the amount of such indebtedness of the borough direct a writ of mandamus to the proper officers of such borough to collect by special taxation an amount sufficient to pay the same in one or more annual installments as may be adjudged reasonable by said court during such years as may be required for the payment of the same

Section 1303 Tax Collector to Furnish Address Et Cetera to County Treasurer The tax collector before he assumes the duties of his office shall notify the county treasurer in writing setting forth his name address where taxes are receivable the office hours when he sits to receive taxes and the borough for and in which he collects taxes

Section 1304 Date Tax Duplicate to Issue The corporate authorities of the borough shall [on or before the first day of June of each year] as soon as possible after receipt of the assessment roll from the county issue their duplicate of taxes assessed to the collector of taxes of the borough [with their warrants attached directing and authorizing him to collect the taxes therein assessed and levied]

Section 1305 Preparation of Budget (a) During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided The proposed budget shall be kept on file with the borough secretary and by him be made available for public inspection for a period of ten days

Section 1306 Notice of Proposed Budget Penalty Notice that the proposed budget is available for inspection shall be published by the borough secretary in a newspaper of general circulation in the borough except in boroughs where the estimated budget receipts are less than five thousand dollars where in lieu of such newspaper publication notice may be conspicuously posted during the ten day period in a place readily viewable by the public at the office of the borough secretary and with such further notice as shall be prescribed by council Failure to give the notice herein required shall not invalidate the budget adopted or the tax ordinance Any borough

secretary who shall fail or refuse to give the notice that the proposed budget is available for inspection as herein required shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding one hundred dollars and costs of prosecution

Section 1307 Revision and Completion of Budget After the expiration of the said ten days council shall make such revision in the budget as shall be deemed advisable The budget shall be as comprehensive and exact as the information available will admit In addition to expenditures proposed for the current fiscal year council may include as proposed expenditures a sum sufficient to pay any existing indebtedness and to pay the ordinary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor and may also include a sum to provide in whole or in part for any deferred maintenance depreciation and replacements Within the tax levy and debt limitations council may also include in whole or in part expenditures for capital improvements and purchases Expenditures of a legislative character shall be made authorized or ratified by ordinance Other expenditures allowed by law may be made or ratified by motion in council Such expenditures whether by ordinance or motion shall then be considered as appropriations affecting the budget Any balance of revenues over expenditures may be expended in any subsequent year for any lawful purpose

Section 1308 Adoption of Budget Tax Ordinance Upon completion of the budget containing the estimated receipts and expenditures and its adoption by motion in council it shall be the duty of the council to adopt an ordinance levying the tax for the fiscal year for approval of the burgess or passage over his veto

The fixing or changing of the compensation or bonds of officials may be made by vote of the council or may be embodied in the tax ordinance Any ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate tax ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council

Copy of the budget together with the tax ordinance shall be filed with the Department of Internal Affairs by the secretary of the borough within fifteen days after the adoption of the tax ordinance

Section 1309 Modification of Budget Supplemental Appropriations and Transfers The council in its reasonable discretion may by motion modify the budget after its final adoption New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before or after the expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law

Section 1310 Payments from Borough Funds All payments made by the council of any borough from the borough funds shall be made by proper borough orders drawn upon the treasurer no borough order shall be authorized by council or signed by the president or secretary of any council unless there are sufficient funds in the treasury of the borough to pay the same and no orders shall be made payable at any time in the future or draw interest A separate borough order shall be drawn for each account or payment

Section 1311 Uniform Budget and Financial Report Forms The uniform forms for the annual budget the annual auditor's report and the annual financial statement required to be made by the auditor's or the controller shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Boroughs and the Secretary of Internal Affairs or his agent

Such representatives of boroughs shall be appointed by the president of the organization Such representatives shall be chosen from among finance officers or other

officers of boroughs who have knowledge of their fiscal procedures As far as possible they shall be chosen to represent boroughs in the various population groups The president of the organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Such representatives shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

In preparing such uniform forms the committee shall give careful consideration to the fiscal needs and procedures of boroughs of the various population groups producing separate forms if necessary to the end that such forms shall not be inconsistent with the general administrative practices of boroughs of various types and sizes

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this article are prepared in cooperation with such committee In the event that the committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After their preparation he shall issue such forms and distribute them annually as needed to the proper officers of each borough

Section 42 The said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto Article XIII.I and Sections 1315 1316 1317 1318 1319 1320 1321 1322 1323 and 1324 as follows

Article XIII.I

Contracts

Section 1315 Power to Make Contracts Each borough may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 1316 Regulation of Contracts (a) All contracts or purchases in excess of five hundred dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by council involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the borough provided they do not constitute new additions extension or enlargements of existing facilities and equipment but a bond may be required by council as in other cases work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any borough through its own employees Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision of a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or the agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 1317 Penalty for Personal Interest in Contract Except as otherwise provided in this act no borough official either elected or appointed who knows or who has the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the borough or for any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars in any year but this limitation shall not apply to cases where such officer or appointee of the borough is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise But in the case of a councilman or burgess if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the borough to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 1318 Separate Bids for Plumbing Heating Ventilating and Electrical Work In the preparation for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 1319 Bonds for the protection of labor and materialmen It shall be the duty of every borough to require any person copartnership association or corporation entering into a contract with such borough for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars before commencing work under such contract to execute and deliver

to such borough in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum and not more than one hundred per centum of the contract price as such borough may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the borough for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the borough for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof Provided however That the borough shall not be liable for the payment of any costs or expense of any suit

Section 1320 Minimum wage specifications in contracts The specifications upon which contracts are entered into by any borough for the construction alteration or repair of any public work or improvement may at the option of the borough council contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages

Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications

Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the borough council or agency which let the contract all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation

All such penalties shall be withheld and deducted from the use of the borough from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications was by the contractor or by any of his subcontractors Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the borough shall pay to the contractor the amounts so withheld as penalties

Section 1321 Discrimination between employees Every contract for or on behalf of any borough for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race creed or color discriminate against any citizen

of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employee hired for the performance of work under his contract on account of race creed or color

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract and

(d) That this contract may be cancelled or terminated by the borough and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract

Section 1322 Publication of contract notices in trade journals Any borough whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at its discretion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal to the dissemination of information about construction work published at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased No such advertisement for bids shall be inserted in any such publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months Such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than Fifteen Thousand Dollars per annum duly certified by a public accountant The rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act

Section 1323 Acceptance by contractor of workmens compensation act All contracts executed by any borough or any officer thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept insofar as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto and that the said contractor will insure his liability thereunder or file with the borough with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any borough who shall sign on behalf of the borough any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of 1915 and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of this section shall be null and void

Section 1324 Architects and engineers employed prohibited from bidding on public works penalty It is unlawful for any architect or engineer in the employ of any borough and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in this Commonwealth

It is unlawful for the officers of any borough charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the Commonwealth or of any county city borough township or other political subdivision of the Commonwealth.

It is unlawful for any architect or engineer in the employ of the Commonwealth or of any county city borough township or other political subdivision of the Commonwealth to be in anywise interested in any contract for public work for the borough or receive any remuneration or gratuity from any person interested in such contract.

Any person violating any of the provisions of this section shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for not more than six months or both.

Section 43 Sections 1401 to 1452 of Article XIV of said act are hereby reenacted revised and amended to read as follows

Article XIV

Eminent Domain Assessment of Damages and Benefits

(a) General Provisions Relating to Eminent Domain

Section 1401 Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets [lanes or alleys] the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers the erection and extension of waterworks wharves and docks public buildings public works filtration plants sewage systems sewage treatment works garbage disposal plants gas plants electric light plants and libraries the establishing of parks [and] playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a borough may enter upon appropriate injure or destroy private lands property or material

Section 1402 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no borough shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are preserved for their historic associations and not for private profit The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three

Section 1403 Possession of Property Upon Tender of Bond Whenever in any condemnation proceedings any borough has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the borough shall have the right to immediate possession of the property

Section 1404 Notice to quit possession procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the borough may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the borough possession

Section 1405 Bond of borough without surety sufficient Whenever the borough shall tender any bond or any court shall order any borough to enter security for

the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the borough shall be taken without sureties

Section 1406 Value of land or property not to be assessed as benefits exception In all cases of the appropriation of land or property for public use other than for [roads or] streets it shall not be lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated

Section 1407 Viewers' report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] street or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file its report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1408 Plans of lands and properties condemned to be furnished to viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the borough taking injuring or destroying such land or property for said purpose shall furnish the board of viewers with a correct plan of all lands and properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all [highways] streets running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land and property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1409 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of borough street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgment mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 1410 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the Department of Revenue the courts of the Commonwealth and of the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified

Section 1411 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from

time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section 1412 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [taker thereof] borough in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1413 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street [alley or other highway] to take into consideration as one of the elements of advantage or disadvantage the cost of street improvements In all claims for damages against a borough arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of land or property affected as assessed for the purpose of taxation

Section 1414 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any borough where the owner and borough cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] borough to plead thereto within fifteen days from the service of such rule upon [the borough] it and the suit shall be proceeded with as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the

jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1415 Appeals in Eminent Domain Proceedings Payment of Money into Court In all cases of damages assessed against any borough for land or property taken injured or destroyed by the construction or enlargement of their works [highways] streets or improvement whether such assessment shall have been made by viewers or otherwise than upon trial in court [and an appeal is not provided for] an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of [the] such party [appellant] or of [the] his agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the borough upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 1416 Title Acquired In all cases where land or property is taken under eminent domain proceedings other than for [highway] street purposes or is acquired by gift purchase or otherwise the title obtained by the borough shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1417 Land Transferable If the project or purchase for which any land or property has been taken received or acquired shall be abandoned or found not to be desirable for the best interest of the borough the land or property thus obtained may be used for other [municipal] borough purposes or sold leased or otherwise disposed of

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits by Viewers

Section 1420 Petition for Viewers Time of Meeting Except as [is in this act] otherwise provided in this act in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain [and] or from the erection and construction of public improvements [have] has not been agreed upon [any] the court of common pleas or any law judge thereof in vacation on application thereto by petition by the borough or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1421 When Viewers May be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any land or property or appropriation of any materials for constructing such improvements

Section 1422 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of the county and by handbills posted upon the premises or otherwise as the court shall direct [Where the publication is in more than one newspaper one of the newspapers may be in the German language]

Section 1423 Swearing viewers hearings schedules of damages and benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties in-

interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same [is] are payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1424 Assessment of damages and benefits The damages may be paid in whole or in part by the borough or may be assessed in whole or in part upon the land or property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the lands or properties peculiarly benefited including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessments for benefits shall not exceed the total damages awarded or agreed upon

Section 1425 Assessment awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the [several owners] owner of land or property affected thereby

Section 1426 Separate reports of damages and benefits The [preceding section shall not prevent the] viewers [from making] shall make a separate report of the damages and benefits respectively [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal [in either case] the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1427 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1428 Service of Notices [Such] The notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [borough] county in which such borough is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises Council may by ordinance provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1429 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and benefits allowed and assessed in each case and file therewith a plan to be prepared or secured by the viewers showing the improvement the lands or properties taken injured or destroyed and the lands or properties benefited

Section 1430 Notice of Filing of Report When the report is filed notice thereof shall immediately be given by publication once in the newspaper or newspapers publishing the notice provided for in section fourteen hundred and twenty-two of this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions [be] are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1431 Borough to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the borough

Section 1432 Bond of Borough Except when [in this act] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the borough may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of anyone under legal incapacity

Section 1433 Condition of Bond Notice of Filing in Court The condition of the security shall be that the borough shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages [refuse] refuses to accept the security tendered the borough shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1434 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages [be] are not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the borough may proceed with the improvement

Section 1435 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1436 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken therefrom he shall enter a decree that the report is confirmed absolutely

Section 1437 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of when the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1438 Appeals From Confirmations After Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1439 Effect of appeals When any appeal is taken from the action of the court of common pleas confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1440 Filing assignments of error et cetera In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or statement of the grounds of appeal Upon failure so to do the borough or any party interested may be notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 1441 Certificate of judge of the court below Upon the request of the borough or any party interested

the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1442 Effect of affirmation of decree of court below If on any appeal the action of the court below is affirmed the date of the decree or judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1443 Consolidation of appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of appeal are similar the appellate court may consolidate the appeals

Section 1444 Appellants may unite in appeals effect thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal is taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1445 Appeals from reports of viewers for jury trial within thirty days after any report of viewers is filed in court of common pleas any party whose land or property is taken injured or destroyed or [who is assessed benefits to pay for property taken injured or destroyed] against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each party shall in any event be entitled to demand a separate trial by jury Where an appeal is so taken as a portion of the report the portion not appeal as provided in the last preceding section shall state the grounds days after the report is filed in court

Section 1446 Reasons for appeals to be stated The appealed from shall be confirmed absolutely at the expiration of thirty upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1447 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1448 Notices appeals from the court below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1449 Appeals to the wrong court Should any appeal [under this article] to the Supreme or Superior Court be made to the wrong court such court shall certify

the appeal to the court to which it should have been taken

Section 1450 Appeals not to prevent filing liens No appeal [taken under this article] to any court shall prevent the filing of liens by any borough for any assessment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1451 Discontinuance of proceedings If any borough shall repeal any ordinance or discontinue any proceeding providing for any of the improvements mentioned in this article prior to the entry upon taking or injury to any land or property or appropriation of materials the borough shall not be liable to pay any damages which have been assessed but all cost upon any such proceeding shall be paid by the borough together with any actual damage sustained by reason of such proceeding

Section 1452 Assessments to bear interest All assessments for benefits costs and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the borough

Section 44 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto section 1453 to read as follows

Section 1453 Damages to bear interest The amount of damages allowed in a report of viewers for the taking injury or destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of filing of the report

Section 45 Sections 1501 to 1505 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XV

Damages For Injury To Property

Section 1501 Right to damage given in certain cases The right to damages against boroughs is given to all owners or tenants of lands property or material abutting on or through which pass [roads] streets [lanes or alleys] injured by the laying out opening widening vacating extending or grading of such [roads] streets [lanes or alleys] or the changing of the grades or lines thereof the construction and the vacation of bridges and piers abutments and approaches therefor and the construction of sewers over upon or through such lands or property

Section 1502 Juries of view to assess damages and benefits All juries of view for assessing damages or benefits for taking using occupying or injuring land property or material are directed to assess the damages provided for in the preceding section against boroughs and the benefits in connection therewith and make a report thereof to the court

Section 1503 Appeals from viewers' reports The right of appeal to the court of common pleas the right of trial by jury and the right to file exceptions are given to any party not satisfied with such report

Section 1504 Appeals from court below After disposal of exceptions or after verdict and final judgment any interested party may appeal to the Superior or Supreme Court as in other cases

Section 1505 Damages for Vacations Whenever viewers are appointed to vacate any [road streets or highways] street and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owners they may award damages to such owner as though land has been actually taken and such damages shall be ascertained as provided in article fourteen (b) of this act

Section 46 Sections 1601 to 1627 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XVI

[Locating] Laying out Opening Widening
 Extending Straightening and Vacating Streets
 (a) Surveying Laying out Opening Widening
 Straightening Extending and Vacating
 Streets Et Cetera Without Petition

Section 1601 Proceedings Without Petition of Property Owners Boroughs may survey lay out open widen straighten extend or vacate streets [lanes alleys and courts] or parts thereof without petition of property owners

Section 1602 Notice of Improvement Ten days' notice of the contemplated improvement shall be given by [the borough by not less than ten] handbills posted on the line of the proposed improvement and in such notice shall be designated a time and place where objections thereto shall be heard

Section 1603 Ordinances Any ordinance authorizing the exercise of any power conferred by section sixteen hundred and one of this article shall be adopted by the affirmative vote of [three-fourths] at least two-thirds of the whole number of councilmen and shall be approved by the burgess No such ordinance shall be finally adopted until the expiration of twenty-eight days from the date of its introduction and in the meantime copies thereof shall be published in one or more of the newspapers of the borough once a week for three consecutive weeks immediately following the introduction thereof In case no newspaper shall be published in the borough then publication shall be in one newspaper [published in the county] circulating in the borough

Section 1604 Erection of Improvements No owner or occupier of lands buildings or other improvements shall erect any buildings or make any improvements within the lines of the [roads] streets [lanes alleys or courts] laid out widened or straightened or proposed to be laid out widened or straightened after notice thereof If any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

Section 1605 Procedure to Assess Damages and Benefits If the borough or any person interested desires to have viewers appointed to ascertain damages or benefits they shall be appointed damages awarded and benefits assessed as provided in article fourteen in the case of property taken injured or destroyed Any costs and expenses which cannot be assessed upon property benefited shall be paid by the borough

Section 1606 Grade Damages to Be Included In all case of assessment of damages for the opening or widening of any street [or highway] in any borough the award of damages if any shall include all damages due to the grade at which said street [or highway] is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street [or highway] is to be opened and widened

Section 1607 Streets Declared Public Highways Any street [lane or alley] so opened or opened by the borough by agreement of parties is a public [highway] street

(b) Opening Widening Straightening Extending and Vacating Streets Et Cetera on Petition to [the] Council

Section 1610 Proceedings on Petition of Property Owners Boroughs may upon petition open widen straighten and extend [roads] streets [and alleys] or [parts] portions thereof and may upon petition vacate [roads] streets [and alleys] or portions thereof (other than State [and State-aid] highways) whether laid out by the borough or by proceedings in the courts of quarter sessions or otherwise

Section 1611 Signing Petition The petition shall be signed by a majority in number and interest of the owners of property abutting on the line of the proposed improvement as fixed at the time of its presentation and shall be verified by the affidavit of one or more of the petitioners

Petitions for the vacation of [roads] streets [and alleys] or portions thereof may release the borough from all damages due to such vacation if the petition is signed by the owners of all the property abutting on the [road] street [or alley] or portion thereof to be vacated The majority in interest of owners of undivided interests in any piece of property shall be deemed as one person for the purposes of the petition

Section 1612 Notice of Ordinance and Petition Appeal Upon the approval of any ordinance passed pursuant to said petition notice shall within ten days be given by handbills posted [in conspicuous places] along the line of the proposed improvement The notice shall state the fact of the passage of the ordinance and the date thereof that the petition for the improvement was signed by a majority in interest and number of the owners of property abutting the line of proposed improvement or in the case of a vacation proceeding where there is a release of damages that it was signed by the owners of all the property abutting the [road] street [or alley] or portion thereof to be vacated and that any person interested denying the fact such petition was so signed may appeal to the court of common pleas of the county within thirty days after the passage thereof

Section 1613 Appeal From Ordinance Any person interested may within thirty days from the passage of the ordinance present a petition to the court of common pleas of the county whereupon the court shall determine whether such improvement was petitioned for by the requisite majority or where the proceeding is for the vacation of a [road] street [or alley] or portion thereof and the petition contains a release of damages whether such petition was signed by the owners of all the property abutting on the [road] street [or alley] or portion thereof to be vacated If said court shall find that it was not so petitioned for it shall quash the ordinance otherwise it shall approve the same

Section 1614 Effect of Failure to Appeal If no appeal [shall be] taken or if the court on appeal shall approve the ordinance the borough may proceed with the improvement Thereafter all parties interested shall be estopped from denying the fact that the petition was signed by the requisite number of the property owners as required by section sixteen hundred and eleven of this article

Section 1615 Assessment of Damages and Benefits Viewers shall be appointed damages awarded and benefits assessed as provided in article fourteen of this act in the case of property taken injured or destroyed Provided That in proceedings to vacate a [road] street [or alley] where the owners of all the property abutting upon such vacated [road] street [or alley] or portion thereof vacated shall petition council for such vacation and release the borough from all damages no such proceedings shall be had In all cases of the assessment of damages for the opening or widening of any street [or highway] the award of damages if any shall include all damages due to the grade at which said street [or highway] is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street [or highway] is to be opened and widened Any costs and expenses which cannot be assessed upon property benefited shall be paid by the borough

(c) Opening Widening and Straightening Roads Partly Within a Borough

Section 1620 Proceedings Where [Roads] Streets Partly in Borough [In opening widening and straightening roads straightening roads partly within a borough like proceedings shall be had as for the laying out and opening of public roads under the general road laws of the Commonwealth] All streets partly within a borough where one of the termini of such streets is without the borough shall be laid out widened changed or vacated only by

the court of quarter sessions in the manner provided by the general road law and the amendments additions and supplements thereto

Section 1621 [Juries of View to Have Reference to Town Plot Every jury appointed to view lay out widen or vacate any road or part of a road in any borough so laid out shall have reference to the town plot and to the general arrangement convenience and advantage of the borough and shall set forth the facts fully in their report] Consent of borough council required No such street shall be opened changed widened altered or vacated unless and until the council of the borough shall have passed a resolution consenting thereto and shall have filed a certified copy thereof with the clerk of the court of quarter sessions

Section 1622 [Payment of Damages All damages assessed beyond the value of the land appropriated to public use shall be paid by the borough and the jury shall separately assess the same] Damages and benefits All damages and benefits occasioned by any proceeding under section 1620 of this act shall be assessed collected and paid in the manner provided by the general road law but the damages not assessed as benefits shall as to the part of the street in the borough be paid by the borough

Section 1623 Petitions for Assessment of Damages Petitions for the assessment of damages for the opening or widening of any such road [or highway] when the damages are not assessed by the view opening the road may be filed in the court of quarter sessions within the period of six years from the confirmation of any report or the entry of any decree opening such road [or highway] All claims shall be barred after the expiration of the period of six years

Section 1624 Improvements Erected Within Lines Laid Out No owner or occupier of lands buildings or improvements shall erect any building or make any improvements within the lines of [the] such roads laid out widened or straightened or proposed to be laid out widened or straightened after notice thereof and if any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

Section 1625 Alteration of Roads by Agreement Whenever the authorities of any borough deem it advisable to construct or change [any] that part of any public road partly within the borough which is under their supervision and can agree with the property owners affected as to the damages upon the payment of the damages agreed upon the borough may change or alter such public road without the formality of a view

Section 1626 Petitions for Change of Road Before any change is made in any such road a petition setting forth the facts accompanied by a map shall be presented to the court of quarter sessions and if approved by the court the new location shall be taken to be the public road and the old location shall be deemed vacated

Section 1627 Limitation of Cost of Change The authority conferred in section one thousand six hundred and twenty-five of this article shall not extend to any change the costs and expenses of which to the borough including damages shall exceed [three] five hundred dollars

(d) Time Within Which Streets are to Be Opened

Section 1630 When Roads To Be Opened Whenever any borough shall pass an ordinance authorizing the laying out or surveying of any [road] street [lane alley or court] over any private property the proceedings to open the same and to assess the damages arising therefrom shall be had not later than two years from the passage thereof

If no such proceedings shall have been had concerning any street within such two-year period the owner of any lands over which such street or any part thereof shall have been or shall be thereafter again laid out may at any time proceed to have the damages assessed [therefor] in the manner provided by article fourteen of this act with the same effect as though the street had been actually opened on the date of the institution of such proceeding

Section 1631 When Roads Not to be Opened Whenever any street [lane or alley] shall be laid out by any person and has not been opened to or used by the public for twenty-one years such streets [lanes or alleys] shall not thereafter be opened without the consent of the owners of the land on which the same has been so laid out

Section 47 Subdivision (e) of Article XVI and Sections 1640 and 1641 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 48 Subdivisions (f) and (g) of Article XVI are relettered to become subdivisions (e) and (f) and sections 1650 to 1669 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(f)] (e) Vacation of [Lanes and Alleys] Streets Declared Nuisances [by Board of Health]

Section 1650 Petitions to Vacate Nuisances Whenever the [board of health] council of the borough shall declare as a nuisance any [public alley lane] street or passageway any two or more owners of property adjacent or abutting upon the same may present their petition verified by oath or affirmation to the court of quarter sessions setting forth the facts regarding such nuisance and praying that said [alley lane] street or passageway may be vacated Such petition shall be accompanied by a certificate [of the board of health] of the borough secretary setting forth that [they have] the council has declared such [alley lane] street or passageway to be a public nuisance

Section 1651 Jury of View The court shall thereupon appoint a jury of view [of three men of the county] The jury being sworn or affirmed to faithfully perform its duties shall give notice to all parties likely to be affected by the proceedings of the time and place of the first meeting in such manner as the court shall direct

Section 1652 Hearings and Report After the first meeting the jury shall proceed to view the premises hear all parties interested and their witnesses and shall prepare a report of finding and recommendations as to whether or not such [alley lane] street or passageway or part thereof should be vacated and in such report shall award damages and assess benefits to the property affected

Section 1653 Notice of Filing Report The jury shall give notice in writing to all parties affected by their report at least ten days before the same is filed in court The notice shall state the time and place where such report will be open to inspection

Section 1654 Exceptions to Report Any person aggrieved by such report may file exceptions thereto with the jury whereupon the jury shall reconsider their report with the exceptions and change the same as [justice] justice may require The report as finally prepared shall be filed in court

Section 1655 Appeals from Report Any person affected by the report shall have an appeal to the court of common pleas within thirty days after the report is filed and the procedure on such appeal shall be the same as in actions of trespass

Section 1656 Confirmation of Report At the end of the period allowed for an appeal the report shall be absolutely confirmed by the court as to such awards or assessments from which no appeals have been taken

Section 1657 When Vacation Proceedings Not To Be Had No [alley lane] street or passageway shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress otherwise than to or from the front line thereof nor where it was created by grant or contract and not theretofore accepted by the public

[(g)] (f) Plans and Location of Streets

Section 1660 General Plan of Streets Every borough shall have a general plan of its streets [and alleys] including those which have been laid out but not opened

Section 1661 Filing Plans Subdivisions The plan shall be filed in the office of the engineer or other proper office of the borough and all subdivisions of property thereafter made shall conform thereto

Section 1662 Alterations Maps and Plots to be Approved The location of streets [or alleys] laid out by council shall not afterwards be altered without the consent of council and no map or plot of streets [or alleys] shall be entered in any public office of the county until approved by council

Section 1663 Location of Streets Boroughs may by ordinance locate streets [and alleys] and include therein streets [and alleys] theretofore opened or used for highway purposes and may locate streets [or alleys] theretofore opened or used for highway purposes of a greater width and may revise the lines of such streets [or alleys] in accordance therewith and place the same on the general plan of such borough All subdivisions of property thereafter made shall conform thereto

Section 1664 Locations Not to Authorize Entry No such location shall authorize the entry upon or appropriation of any property within such located street [or alley] not theretofore opened or used for highway purposes nor shall the same interfere in any way with the rights of the owners to the full use of such property

Section 1665 No Damages Allowed for Erections Upon Located Streets No person shall recover any damages for the taking for public use of any buildings or improvements constructed within the lines of any located street [or alley] after the same shall have been so located and any such building or improvement shall be removed at the expense of the owner

Section 1666 Streets Not To Be Opened Etc Without Approval of Council No person shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in connection therewith for public use or travel in any borough without first submitting suitable plans thereof to the [borough] council for its approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the [borough] council and shall show the profiles of such [roads] streets [lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the [borough] council Before acting upon any such plans the council may at its discretion arrange for a public hearing after giving such notice as it may deem desirable in each case The council is authorized to alter such plans and to specify any changes or modifications of any kinds which it [in its discretion] may deem necessary with respect thereto and may make its approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed on behalf of the borough by such officer as the council may designate and shall be filed in the office of the borough engineer or other proper officer where the same shall be available to public inspection No [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the council or with further plans subsequently approved by it in the same manner

Section 1667 Appeal From Refusal of Council In any case where the borough council shall refuse to approve any plans submitted to it [in accordance with this section] any person aggrieved by the action of such council may within thirty days after such action appeal from such action by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter decree affirming reversing or modifying the action of the council as may appear just in the premises The court shall designate the manner in which notice of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

The action of the borough council or the court on appeal in approving any such plan and such approved plan shall be recorded by the person applying for such approval in the office of the recorder of deeds in the county

Section 1668 Streets Opened Without Approval Penalty If any [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved by the council or the court on appeal as provided in [section one thousand six hundred sixty-six hereof] this subdivision neither the borough council nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such [road] street [lane or alley] and neither the borough council nor any other public authorities shall have any responsibility of any kind with respect to any such [road] street [lane or alley] or drainage facilities notwithstanding any use of the same by the public Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory

Any person who shall construct open or dedicate any street or any drainage facilities in connection therewith for public use or travel in any borough without having first complied with the provisions of section one thousand six hundred sixty-six and one thousand six hundred sixty-seven of this act or of any borough ordinance adopted pursuant thereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding two years or both in the discretion of the court Nothing herein contained shall be construed to apply to the Department of Highways of the Commonwealth

Section 1669 Entry on Land to Maintain Marks and Monuments The borough council its representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the council may deem necessary in carrying out their powers and duties hereunder

[Any person who shall construct open or dedicate any road street lane or alley or any drainage facilities in connection therewith for public use or travel in any borough without having first complied with the provisions of this act and of any ordinance of such borough adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment not exceeding two years or to pay a fine not exceeding one thousand dollars or both in the discretion of the court

Nothing herein contained shall be held to restrict or limit the Department of Highways of the Commonwealth or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted]

Section 49 Subdivision (h) of article XVI and Sections 1670 and 1671 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 50 Subdivisions (a) and (b) of Article XVII and Sections 1701 1702 1703 1705 1706 1707 1708 and 1709 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 51 Subdivisions (c) (d) (e) and (f) of Article XVII are relettered to subdivisions (a) (b) (c) and (d) and sections 1712 1713 1714 1725 1726 1727 1730 1735 1740 1745 1750 1755 1756 1757 and 1758 are hereby reenacted revised and amended to read as follows

Article XVII

Street Improvement

[(c)] (a) Grading Curbing Paving or Macadamizing Streets and Collection of Cost by Foot-Front Rule

Section 1712 Proceedings With or Without Petition Boroughs with petition or without petition may grade curb gutter pave macadamize or otherwise improve streets [lanes and alleys] or parts or a particular width or additional widths thereof with or without the assistance or

contribution of the State county or a corporation occupying the thoroughfare and where the petition for the improvement is signed by petitioners representing a majority in the number of feet of assessable properties abutting on the proposed improvement may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners of real estate abutting on the improvement by an equal assessment on the foot-front including the expenses of the necessary drainage but in all other cases not more than two-thirds of the whole cost thereof or two-thirds of the whole cost not thus aided or contributed may be assessed and collected from the abutting owners on the foot-front rule the remainder to be paid by the borough. The council may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust. Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative. In all cases where the whole width of the highway is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the borough shall for this purpose be considered as owner of non-assessable property of street [and alley] intersections and of the deducted frontage on equitable adjustments. On petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement the total cost of the improvement or a lesser amount if the borough desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street and alley intersections or for the equitable adjustments aforesaid [Provided That] if the petition states that the total cost may be assessed on the abutters. Provided however that if in connection with such proceedings any street or sidewalk is so graded or changed in grade that private property is damaged thereby and the damages have not been released or agreed upon then the damages shall be awarded and benefits costs and expenses in connection with the improvement shall be assessed as provided in Article fourteen in the case of property taken injured or destroyed.

Section 1713 Notices of Assessments. The secretary of the borough shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises.

Section 1714 Collection of Assessments. If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the borough solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim.

[d] (b) Grading Curbing Paving
Macadamizing Boundary Streets
and Streets Outside Limits

(1) By Agreement with Municipalities and Townships

Section 1725 Agreements to improve boundary Streets. Boroughs may enter into agreements with adjoining municipalities and townships for the grading curbing paving or macadamizing of streets [and alleys] which may be boundaries between such boroughs and municipalities or townships and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such boroughs municipalities or townships in the proportion agreed upon.

Section 1726 Petition of property owners. In grading curbing paving or macadamizing such streets [or alleys] boroughs shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvements within the borough limits to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property

to be treated as one person asking that such improvement be made.

Section 1727 Assessment of damages and benefits. The portion of the damages costs and expenses agreed to be paid by the borough shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in article fourteen of this act but the borough may agree to pay any part of the costs damages and expenses of such improvements out of the general funds.

(2) By Agreement with Counties and Townships

Section 1730 Proceedings to Improve Boundary [Roads] Streets. Whenever the center line of any [highway] street constitutes the dividing line between any borough and a township located in the same county [and] the borough [shall] may enter into a contract with the commissioners of the county and the commissioners or road supervisors of the township as the case may be to grade curb pave macadamize such [highway] street [in accordance with the provisions of the act of the twentieth day of May one thousand nine hundred and thirteen page two hundred and sixty-seven entitled "An act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned" or any amendments thereto such] Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the authorities of the borough and in compliance with the plans to be agreed upon in writing between such borough and the commissioners of the county and the commissioners or road supervisors of the township. One-half of the cost of such repairs shall be borne by the borough.

(3) Streets More than One-half the Width of Which are Within the Borough

Section 1735 Whenever any street [alley or highway] more than one-half the width of which is within the limits of any borough shall divide the said borough from any other municipality or township located within the same county such street [alley or highway] may be improved by the borough within which the greater width is located in the same manner as if the said street [alley or highway] were entirely located within the limits of said borough.

The property abutting on the side of said street [alley or highway] which is located outside the limits of the borough making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street [alley or highway] from its center line be assessed for any and all municipal improvements to or on the said street [alley or highway] in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough.

(4) Assessment on Property Outside Limits Where Boundary Line Street Entirely Within Borough

Section 1740 Wherever any street [or alley] entirely within the limits of any borough shall divide such borough from any other municipality or township located in the same county the property on the side of the street [or alley] opposite the line of the borough shall for the depth of one hundred and fifty feet be assessed for municipal improvements on such streets [or alleys] on which such property shall abut in the manner provided by this article for assessments by the foot-front rule and such improvements may be made assessed and collected in accordance with the provisions of this article for assessments by the footfront rule.

(5) Streets Outside Limits

Section 1745 Appropriations to Improve Connecting Links. Boroughs may singly or jointly with boroughs cities or counties appropriate and expend moneys for the improvement of [highways] streets outside of the limits of such boroughs for the purpose of connecting improved streets in such boroughs with State [or State-aid] high-

ways No such [highways] street shall be improved which shall be more than one mile in length

Whenever the comfort and safety of the residents of adjoining boroughs will be enhanced by any overhead or underground pasageways connecting with adjoining [public highways] streets in either borough and extending to any plant or place of business where residents of such boroughs are [empowered] employed such boroughs may jointly construct and maintain any such passageway or they may join with other interests in the construction and [or] maintenance thereof

[(e)] (c) Maintenance and Improvement of Condemned and Abandoned Turnpikes

Section 1750 When any turnpike or part thereof situate in the same or more than one county shall be condemned for public use free of tolls and the assessment of damages therefor shall have been paid by the county or when any turnpike company or association has abandoned its turnpike or any part thereof or when any turnpike company or association has been dissolved such turnpike or part thereof located within the limits of any borough shall be maintained and improved in the same manner as other streets of the borough

[(f)] (d) Maintenance and Improvement of Streets Connecting County Roads

Section 1755 Maintenance of Roads Improved by Counties Whenever any county shall improve any [road] street located within any borough under the provisions of an act approved the thirteenth day of May one thousand nine hundred and nine page five hundred and twenty-seven entitled "An act amending an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled 'An act to amend an act entitled "An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any such road as may thereby become unnecessary authorizing the taking of property for such improvement and providing for the compensation therefor and the damage resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said road and authorizing the levy of a tax to provide a fund for such purposes" approved June twenty-sixth one thousand eight hundred and ninety-five providing that public roads and highways may be constructed improved and maintained by the several counties of the Commonwealth as county roads whether existing by other authority or laid out in whole or in part by virtue of this act and providing that public roads and highways may be originally located laid out and established for the purpose of such construction improvement and maintenance by the several counties in the manner and by the procedure set out in the amended act and subject to other provisions thereof providing for the laying out of a system of main thoroughfares to which the establishment construction improvement and maintenance of public roads by the counties shall be restricted after January one one thousand nine hundred and seven but providing for such establishing construction improvement and maintenance of roads not part of said system upon parties interested paying not less than one-fourth of the original cost of construction and providing that the county commissioners of any county may provide rules regulating the use of roads constructed and maintained by the counties and prescribing the penalties for the violation thereof" and providing that public roads and highways located established constructed and improved by the several counties in the manner and by the procedure set out in the said acts shall thereafter be township or borough roads and be maintained and improved by the proper township or borough" or any amendments thereto such road shall by ordinance enacted by the borough council become a borough [road] street and the duty of maintaining the same in repair shall devolve upon the borough in which such road lies

Section 1756 Agreements to Improve Connecting Links Between County Highways Whenever any road is improved by a county in accordance with the provisions of an act approved the eleventh day of May one thousand nine hundred and eleven page two hundred and forty-four entitled "An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any roads as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" and its amendments and when a borough intervenes between two ends of such county highway and the borough has failed to improve the street [or streets] constituting the shortest and most reasonable route through the borough which will connect the two ends of such highway the council of the borough may by ordinance contract with the county commissioners that the shortest and most reasonable route through such borough be improved or when an improved county highway terminates at the limits of a borough in the same or another county and connects with a borough street which the borough has failed to improve and the county commissioners deem the improvement of such borough street necessary in order to make such highway accessible to the traveling public the council of the borough may by ordinance contract with the county commissioners for the improvement of such street

Section 1757 Payment for Improvements Whenever an improvement is made to a borough street pursuant to the preceding section the cost of such improvement may be divided between the borough and the county The borough ordinance authorizing the improvement shall stipulate what percentage of the cost if any the borough and county shall pay The contract for such improvement may be taken by the borough upon the stipulation of the county to pay its proportionate share of the cost or the improvement may be made by joint contract with the county

Section 1758 Maintenance Agreements Before any [highway] street is so improved the borough shall agree with the county commissioners for the maintenance of such [highway] street Such agreement may provide that such [highway] street shall be kept and maintained in repair by the borough or by the county and in the latter case the cost thereof shall be paid by the borough to the county

Section 52 Subdivision (g) of Article XVII and Section 1760 of the act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 53 Subdivisions (h) (i) and (j) of Article XVII are hereby relettered to subdivisions (e) (f) and (g) and Sections 1765 1770 1771 and 1775 are hereby reenacted revised and amended to read as follows

[(h)] (e) Use of Abutting Lands for

Embankments Slopes Fills and Culverts

Section 1765 In the grading of any street [lane or alley] or any part thereof boroughs are hereby authorized and empowered to use so much of the lots and lands abutting on the same for the construction of embankments slopes

fills and culverts as may be necessary and proper for the completion of the improvement and the assessment of damages costs and expenses resulting thereby shall be regarded as other assessments of damages costs and expenses caused by the grading of streets [lanes and alleys] in said borough and shall be assessed and paid as is provided by article fourteen of this act

[(i)] (f) Special Tax and [Sinking] Special Fund for Street Improvement

Section 1770 Special Road [Sinking] Fund Tax [The several boroughs] Boroughs are hereby empowered within their general power to levy [and] taxes and to collect annually a tax upon all property taxable for borough purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a [sinking] special fund to be used by such borough in making permanent street improvements and to pay contract prices for paving and other permanent street improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining or abutting thereon by such borough under existing laws

Section 1771 Repayments into [Sinking] Special Fund When the cost and expense or any part thereof of the construction of any permanent street improvement which has been made under existing laws and which has been aided in its construction from the said [sinking] special fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be applied to the credit of the said [sinking] special fund to the extent of the withdrawal therefrom for such purpose

[(j)] (g) Collection by Installment of Cost of Grading and Improving Streets

Section 1775 Ordinances for Installment Payments When any borough shall authorize the grading subgrading or the permanent paving and improvement of any streets [or alleys] or parts thereof and the entire costs or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot-front rule or according to benefits the council may provide in the ordinance that the assessment may be paid in semi-annual or annual installments Such installments shall bear interest at a rate not exceeding six per centum [from the date of the commencement of the work or the construction of such improvement] commencing at such time as may be fixed by ordinance

Section 54 Sections 1776 and 1777 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 55 Sections 1778 1779 1780 and 1781 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 1778 Entry of Liens Liens to secure the assessments shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected

Section 1779 Assessments Where Payable Such assessments shall be payable at the office of the borough treasurer or such other place as the ordinance shall provide in semi-annual or annual installments with interest at the rate provided from the date from which interest is computed on the amount of the assessments The moneys so received by the borough shall be applied to the payment of such bonds and interest thereon exclusively

Section 1780 Default in Payment of Installment In case of default in the payment of any installment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the borough solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

Section 1781 Payments in Full Subdivisions of Property Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semi-annual or annual payment and such payment shall discharge the lien If any owner shall subdivide any property after the lien attaches he may in like manner dis-

charge the same upon any subdivided portion thereof by paying the amount for which such part would be liable

Section 56 Said Act of May 4 1927 (P. L. 519) is hereby further revised and amended by adding thereto Sections 1785 1786 1787 1788 1789 and 1790 as subdivision (h) of Article XVII to read as follows

(h) Collection of Cost of Street and Sidewalk Improvements by Installments .

Section 1785 Power Whenever any borough shall provide for any permanent paving and improvement of any streets and sidewalks or parts thereof and bonds are to be issued and sold in the manner provided by law to provide for the payment thereof it shall have the power to ordain that the costs and expenses of such improvements may be collected in accordance with the provisions of this subdivision

Section 1786 Contract Price Taken as Cost The contract price for such improvements and interest thereon to the first day when interest is payable on such bonds shall be taken as the cost of said improvements to be assessed on the property benefited according to existing law

Section 1787 Filing Liens Claims for such assessments shall be filed in the prothonotary's office in the manner provided by law for the filing of municipal claims and shall if filed within six months from the completion of the improvements remain a lien upon the property assessed until the term for which said bonds are issued shall expire unless sooner paid and satisfied or until the property is sold for the nonpayment thereof as hereinafter provided

Section 1788 Collection of Assessments Such assessment shall be payable at the office of the borough treasurer in equal annual installments during the term of years for which said bonds are issued with interest at the rate provided in said bonds from the date to which interest was computed on the amount of the assessments or so much as remains unpaid from time to time until all said assessments and interest are fully paid The money so received by the borough treasurer shall be applied to the sinking fund Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same or any part remaining unpaid in full with interest thereon due on said assessment Such payment shall discharge the lien If any owner shall subdivide any property after such lien attaches he in like manner may discharge the same upon any subdivided portion thereof by paying the amount for which said part would be liable

Section 1789 Payment of Interest If all annual installment and interest payments are made as herein provided at the times fixed by the borough council no proceedings shall be instituted for the collection of such assessment and no property shall be sold for the nonpayment thereof during the term of years for which said bonds are issued

Section 1790 Defaults in Payments In case of default in the payment of any two annual installments and interest for a period of sixty days beyond the time when the second defaulted payment was due the entire assessment and accrued interest shall become due and payable and the borough solicitor shall proceed to collect the same in accordance with law If at the end of the term for which the bonds were issued any part of such assessment and interest shall remain unpaid the borough solicitor shall within six months thereafter proceed in like manner to collect the same

Section 57 Sections 1801 to 1807 inclusive of the act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XVIII

Sidewalks

(a) Grading Paving Repairing Sidewalks Curbs and Gutters

Section 1801 Power to Ordain and Lay Out Boroughs may ordain and lay out sidewalks curbs gutters and drains on the streets of the borough

Section 1802 Establishment of Grades Boroughs may establish a grade or grades for [footways or] sidewalks which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway

Section 1803 Sidewalks on [Turnpikes and] State Highways Boroughs may ordain and lay out sidewalks gutters and drains upon the beds of [turnpike roads or] State highways with the consent of [companies controlling such turnpikes] or the State [Highway Commissioner] Secretary of Highways

Section 1804 Sidewalks on Lands Abutting State Highways Boroughs may ordain and layout sidewalks gutters and drains upon lands abutting the sides of State highways and upon land abutting the sides of public roads where such roads are outside the borough limits and the land upon which such sidewalks are to be laid out is within the borough limits

Section 1805 Width of Sidewalks Grading and Paving Boroughs [shall] may fix the width of all sidewalks and may require the grading paving and repairing of sidewalks and the constructing and repairing of curbs and gutters at the edge of sidewalks by the owners of lots fronting thereon All sidewalks curbs and gutters when constructed shall be kept in safe and useable condition by the owner of the abutting property

Section 1806 Borough May Pay Part of Cost The borough may pay a portion of the cost and expense of grading and curbing sidewalks

Section 1807 Borough May Do Work Collection of Cost Upon the neglect of any owner of lots to comply with the requirements as provided in the preceding sections of this article the borough may after notice cause the grading paving repairing curbing and guttering to be done at the cost of such owner and may collect the cost thereof and ten per centum additional together with all charges and expenses from such owner and may file a municipal claim therefor or collect the same by action in assumpsit

Section 1808 Service of Notice All such notices shall be served upon the owner of the premises to which the notice refers if such owner [be] is a resident of the borough If the owner is not a resident then the notice may be served upon the agent or tenant of the owner or upon the occupant of such premises If the owner [have] has no agent or tenant or there [be] is no occupier of such premises then service shall be by [printed or written] notice posted upon the premises

Section 58 Said act of May 4 1927 (P. L. 519) is hereby revised and amended by adding thereto Section 1809 to read as follows

Section 1809 Sidewalks Creating Nuisances Where a nuisance results from the condition of a sidewalk and the safety of pedestrians is imminently jeopardized the borough may abate the nuisance with or without notice and may collect the cost thereof in the same manner and to the same extent as in other cases of the abatement of nuisances

Section 59 Subsection (b) of Article XVIII and Sections 1810 1811 1812 and 1813 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 60 Subsection (c) of Article XVIII is hereby relettered and Sections 1815 1816 and 1817 are hereby reenacted revised and amended to read as follows

[(c)] (b) Emergency Repairs to Sidewalks

Section 1815 Emergency Repairs Notice In addition to the remedies now vested in [the borough of this Commonwealth] boroughs to make repairs to sidewalks [the said] boroughs shall have power to make emergency repairs to sidewalks within corporate limits where in the opinion of the officer or head of the department or committee lawfully having charge of sidewalk repairs a dangerous condition exists that can be repaired by an expenditure of not more than [twenty-five] fifty dollars Before the said repairs are made a notice to make the

repairs within forty-eight hours shall be served upon the owner of the said property If the owner cannot be served within the county notice may be served upon the agent of the owner or the party in possession [if any there be] or if there [be] is no agent or party in possession the notice may be served by posting the same upon [the most public part of] the said premises

Section 1816 Collection of Costs Upon the completion of the work the cost thereof shall be a charge against the owner of the property and shall be a lien until paid upon the abutting property provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims Any such charge may also be collected by action of assumpsit

Section 1817 Limitation on Cost This subdivision is intended to provide an additional remedy for boroughs in connection with emergency repairs where the actual cost of doing the work does not exceed [twenty-five] fifty dollars and the certificate of the officer or head of the department or committee in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying the repair under the terms of this act

Section 61 Article XIX and Sections 1901 and 1902 are hereby reenacted to read as follows

Article XIX

Contracts With Street Railways

Section 1901 Power to Contract To secure the removal of any street railway tracks or to prevent the laying of any tracks authorized to be laid or to change the route of any street railway on any street a borough may subject to the approval of the Public [Service] Utility Commission enter into a contract with a street railway or motor power company owning leasing or operating such tracks for a period not exceeding fifty years for such considerations and upon such conditions as may be agreed upon

Section 1902 Covenants Such contract may include a covenant providing that during the continuance thereof municipal consent shall not be granted to any other company to use for street railway or passenger transportation purposes any streets covered by such contract Such covenant may be enforced by bill in equity against the borough The contract may also provide for the laying or relaying of tracks upon such terms and upon such conditions as may be agreed upon

Section 62 Sections 2001 to 2021 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XX

Bridges and Viaducts

(a) General Power

Section 2001 General Powers Boroughs may construct bridges and the piers and abutments therefor and in exercising such power shall have the right to take use and occupy private property Bridges constructed by boroughs shall be deemed to be a part of a street

Section 2002 Proceedings Whenever any borough shall build any bridge and the piers and abutments therefor the same procedure shall be had as provided in article sixteen of this act relating to the opening widening and straightening of streets and all damages shall be awarded and benefits assessed as provided in article fourteen of this act

Whenever in the laying out opening widening extending straightening or grading of streets it becomes necessary to build bridges piers and abutments therefor the proceedings therefor shall be in the case of opening widening extending or straightening streets as provided in article sixteen and in the case of grading as provided in article seventeen and all damages shall be awarded and benefits assessed as provided in article fourteen of this act

(b) Over Boundary Streams

Section 2005 Power to Construct Boundary Bridges

Whenever a creek over which a bridge may be necessary shall be on the division line of a borough and municipality or township the borough shall unite with such municipality or township in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

(c) Over Railroads

Section 2010 Power to Erect Across Railroads Boroughs may build bridges or viaducts over railroads rivers creeks streams and private property or over railroads and any of them or over railroads only whether the bridges or viaducts be wholly or partly within the borough limits for the purpose of uniting two or more streets or separate portions of the same street Such bridges and viaducts must in all cases cross railroads

Section 2011 Proceedings Boroughs may provide for the laying out and opening of the routes or locations for such bridges and viaducts which shall be public highways The proceedings for the laying out and fixing such locations and for the opening thereof shall be as provided in article sixteen of this act for the laying out and opening of streets except that no petition of property owners shall be required therefor

Section 2012 Proceedings to Assess Damages and Benefits In case the borough has not agreed with the owner of any land for the damages done or likely to be done by the erection of any such bridge or viaduct the borough may appropriate the lands and property necessary and the damages and benefits caused by such appropriation shall be assessed by viewers in the manner provided in article fourteen of this act

Section 2013 Contracts for Payment of Damages The borough shall also have power to enter into a contract with the county commissioners and also with railroads street railways and other companies or parties interested for the building and maintenance of such bridges or viaducts and for the payment of any damages caused by the location or erection thereof

Section 2014 Maintenance Nothing contained in the preceding section shall authorize a borough to contract with a county for the maintenance of any bridge or viaduct which does not cross a place over which the county is authorized to build bridges but such viaduct or bridge shall be maintained as a borough structure and the borough is authorized to contract with any party interested except the county for the maintenance of the same

Section 2015 Covenants of Contracts The contracts herein provided for may stipulate that the borough county railroad company street railway or other company or party interested shall pay a certain part of the contract price of the work including damages or may stipulate that each shall construct a certain portion of the work and may provide otherwise for the payment of damages

Section 2016 Payments by Railroad Companies When any railroad company street railway or other company or party interested agrees to pay a certain portion of the cost of such work it shall pay the same into the borough treasury and the borough treasurer shall pay the same over to the contractor as may be provided in the contract but the amount to be paid by the county shall be paid directly to the contractor The agreements may provide for the maintenance of the bridges and viaducts after their erection

Section 2017 Plans Bids After any such contract has been entered into the borough in conjunction with the county commissioners shall have prepared plans and specifications of the entire work and shall advertise for bids and award the contract to the lowest responsible bidder

Section 2018 Covenants of Contracts The contract for the work shall provide that the county shall pay its certain part of such bridge or viaduct and the borough shall contract for the other part of the work but the contract as to the borough's part shall be based upon the appropriation made by the borough for the part of the work for which it had agreed to pay and the remaining

part of the contract price shall be based upon the amounts the other parties have agreed to pay

Section 2019 Contractor May Sue on Contract The contractor shall have a right of action against each party uniting in the contract provided for in this subdivision for the part thereof agreed to be paid by each party

Section 2020 Proceedings where County does not Join In case the county commissioners do not unite in the contract the borough may contract for the construction of such bridge or viaduct and may pay for the entire work or may contract with all or any of the other parties for such work Plans and specifications shall be prepared and advertisement shall be made for bids by the borough and the contract shall be let in the manner [hereinbefore] provided in this act

Section 2021 Recording Contracts Any of [the] such contracts [provided for] may be recorded in the recorder's office of the county and such record shall be notice to all persons who might be affected thereby

Section 63 Subdivision (d) of Article XX and Sections 2025 2026 2027 2028 2029 2030 and 2031 of said act of May 4 1927 (P. L. 519) are hereby repealed

Section 64 Article XXI and Section 2101 to 2180 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXI

Sewers

- (a) [Laying Out and Assessment According to Benefits] Construction of Sewers and Sewage Treatment Works

Section 2101 Power to Lay Out [and] Ordain and Construct Boroughs may with the consent and permit of the Sanitary Water Board lay out [and] ordain [such common sewers and drains as may be necessary in any street or alley or through or over private property] and construct sewers in streets or on private property and may construct sewage treatment works on land owned or acquired for such purposes and pay the costs and expenses thereof out of borough funds or may assess the costs and expenses of sewers in streets as herein provided

Section 2102 [Proceedings on] Assessment According to Benefits Where a borough constructs sewers in streets of the borough and desires to assess the costs and expenses upon property benefited then on petition viewers shall be appointed as provided in article fourteen of this act who shall assess the damages costs and expenses of the sewer upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when finally ascertained shall be paid by the borough The proceedings of the viewers and the proceedings on their report shall be as provided in article fourteen of this act

- [(b) Sewer System and Assessment According to Foot-Front Rule]

Section 2105 [Ordinance to Construct System Any borough may by ordinance adopt and construct such system of sewers as may be necessary for the disposal of sewage matter] Assessment by Foot-Front Rule Where a borough constructs sewers in streets of the borough and desires to assess the costs and expenses by the foot-front rule they may by ordinance provide that the expenses shall be assessed upon the property abutting thereon by the foot-front rule and may provide for equitable adjustments for corner lots or lots of irregular shape where an assessment for the full frontage would be unjust The Secretary of the borough shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises

Section 2106 Places and Manner of Construction The borough shall fix the places along the streets [alleys and courts] where such sewer [mains or drains] and branches thereof shall be laid down and shall prescribe the manner in which they shall be constructed

Section 2107 Permit from Sanitary Water Board No contract for the construction of any such sewer system or

treatment works shall be entered into until a permit for the construction of the same shall have been obtained from the Sanitary Water Board

Section 2108 Assessments of Cost Whenever any borough shall [so determine to] construct any sewer in any street [it shall by ordinance] and assess the cost thereof [as a sewage tax upon the property adjoining or adjacent to the same either] by the foot-front rule [or in such other manner as to the burgess and town council may seem equitable which] the assessment duly certified under the seal of the borough attested by the burgess or the president of council and secretary shall be collectible from the owner of such property

Such certificate of assessment shall be prima facie evidence in any suit for the recovery of the same of the correctness and validity of such assessment

The assessment herein referred to shall be computed under the terms of the ordinance but the individual assessments need not be expressed therein

Section 2109 Collection of Assessments If the owners of property against which a foot-front assessment [for sewage tax have] has been made shall refuse to pay such assessment within thirty days after notice of the same it shall be the duty of the borough solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim

Section 2110 Regulations of Borough The borough may enforce by penalties such regulations as it may ordain with reference to the use and maintenance of such sewage system and treatment works

Section 2111 Extensions Beyond Borough Limits Eminent Domain The borough may extend the necessary sewer mains and outlets beyond the limits of such borough to a point where such sewage is to be disposed and shall have power to enter upon and condemn such lands property and materials for the construction of all such sewer mains outlets and treatment works as may be necessary for the disposal of such sewage

Section 2112 Notice of Certain Ordinances No ordinance for any [such] construction of sewers or treatment works beyond the limits of the borough [or any works connected therewith] shall be adopted until notice thereof has been given by publication of the proposed ordinance for at least four weeks in one newspaper of general circulation published in the borough [or county] and if no such newspaper is published in the borough then in such a newspaper circulating in the borough and also by serving copies of such proposed ordinance upon all land owners through whose land such sewer is to pass or on whose lands any treatment works are to be located at least ten days before final action thereon But no notice as herein provided shall be required where such construction beyond the limits of a borough is entirely within the limits of any street or highway In such cases a written notice shall be given to the corporate authorities of the municipality or township having jurisdiction over such street or highway before the construction is commenced

Section 2113 Security for Damages Assessments Before entry shall be made upon private property without the owner's consent for the purpose of laying any [such] sewer [or outlet] or constructing any [such] treatment works security for all damages which may be done shall first be given to such owner in such form and in such amount as the court of common pleas of the county may direct All damages caused by the construction of any such sewer or works or by the taking of lands and materials therefor shall be ascertained in the manner provided in article fourteen of this act for property taken injured or destroyed and shall be paid out of the borough treasury

[(c)] (b) **Construction of Sewers Outside Cartway and Curb Lines**

Section 2115 Power to Construct Boroughs are hereby authorized to require and permit sanitary sewers and

sewer pipes to be laid and constructed on either side of the cartway or the curb lines thereof in any street [or highway]

The said sewers shall be for the service and use of the property abutting thereon on the side of the street [or highway] in which they are laid

Section 2116 Collection of Costs and Expenses The costs and expenses of any sewer laid and constructed as aforesaid may be assessed against the abutting property in front of which the same is laid and such costs and expenses when so assessed shall be assessed and collected in the [way and] same manner as the cost and expenses of other sewers are assessed and collected in the respective borough in which the same are laid

[(d)] (c) **Joint Sewers**

Section 2120 Building Joint Sewers (a) Boroughs may jointly with other [municipalities] cities boroughs or townships [or both] build and construct sewers including trunk line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement either by viewers [as is provided in the case of boroughs by section two thousand one hundred and two of this act] or by the foot-front rule as provided [in sections two thousand one hundred and eight and two thousand one hundred and nine of this act] in this article Any portion of the cost of such improvement not assessed or not assessable shall be paid by the respective cities boroughs and townships joining as may be agreed upon

(b) The boroughs cities and townships joining or contemplating joining in any such improvement in order to facilitate the building of the same and securing preliminary surveys and estimates may by ordinance [or resolution] provide for the appointment of a joint sewer board composed of one representative from each of the boroughs cities and townships joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The [joint sewer] board shall organize by the election of a chairman [vice-chairman] secretary and treasurer The secretary and treasurer may be the same person The several boroughs cities and townships may in the ordinances [and resolutions] creating the [joint sewer] board authorize the board to appoint and engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each borough city and township is to pay The members of the [joint sewer] board shall receive such compensation for attending meetings of the board as shall be fixed in the budget prepared by the board for submission to and adoption by the several boroughs cities and townships as hereinafter provided and shall be entitled to actual expenses to be paid by the respective boroughs cities and townships which such members represent

(c) The [joint sewer] board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and plan the future development of the system so as to conform to a general plan [assured and safeguarded] It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several boroughs cities and townships defining the advisory and administrative powers of the board setting forth the consents of the several boroughs cities and townships to the proposed improvement the manner in which preliminary and final plans specification and estimates for the proposed improvement shall be prepared and adopted how proposals for bids shall be advertised and contracts let the manner in which the costs of the improvement and other incidental and

preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof. But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the boroughs cities and townships proceeding with the improvement.

(d) In any case where it shall be necessary to acquire appropriate injure or destroy private property lands property or material to build any such joining sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the borough city or township where such property is located. In any case where it shall be necessary to acquire injure or destroy property in any territory not within the limits of any of the boroughs cities or townships joining in the improvement then the right of eminent domain shall be vested in any borough city or township adjacent to such territory where such property is located. Damages for any property taken injured or destroyed shall be assessed as provided by the general laws relating to the boroughs cities and townships exercising the right of eminent domain and shall be paid by the several boroughs cities and townships joining in the same proportion as other costs of the improvement.

(e) Each of the boroughs joining in any such improvement shall have power to incur or increase its indebtedness not exceeding the constitutional limits for the purpose of paying its share or portion of the cost of such improvement in the manner now provided by law for the incurring of indebtedness.

Section 2121 Approval of Sanitary Water Board. No such sewer or sewage treatment plant shall be constructed until plans and specifications have been submitted to the Sanitary Water Board and approved in accordance with provisions of [the act of Assembly providing for such approval] existing laws.

Section 2122 Connections with Sewers of Adjacent Municipalities. Any borough may connect with an existing sewer owned by any adjacent municipality or township for sewage purposes in the manner prescribed in the following sections of this subdivision of this article.

Section 2123 Applications to Court. Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality or township and no agreement either upon the basis of a rental payment for the use of an existing sewer or a division of the cost of the construction or maintenance thereof has been reached between such borough and the adjacent municipality or township an application shall be made by council to the court of quarter sessions of the county setting forth that fact.

Section 2124 Appointment of Viewers. If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the proportionate part of the expense of building the original sewer upon such borough and shall fix the proportion of the expense for repairs which each municipality or township shall thereafter bear and determine all other questions liable to arise in connection therewith.

Section 2125 Report of Viewers Appeals to Court. The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto be filed. After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Supreme or Superior Court.

[(e)] (d) Power to Supply Sewage Service Outside Borough Limits

Section 2130 Power to Supply Service. Whenever any borough is maintaining and operating a sewage system and sewage purification or treatment works it shall be lawful for such borough to supply sewage service to municipalities townships persons and corporations outside the limits of such borough and to enter into contracts for such service at rates not less than those required to be paid by persons and corporations within the limits of such borough but no such privilege shall conflict with the rights of any sewer company or the rights of any other borough.

Section 2131 Power to Extend Lines and Condemn Property. For the purpose of supplying such sewerage facilities any such borough may extend the necessary sewer mains and pipes beyond the limits of such borough to the points where such sewerage is to be collected and received and shall have the power to enter upon and condemn such lands property and materials for the construction of such sewer mains and pipes as may be necessary to the furnishing of such sewerage service.

Section 2132 Procedure Assessment of Damages. Before entry shall be made upon private property without the owner's consent for the purpose of laying any such sewer mains or pipes or constructing such sewer collection system outside of the limits of the borough security for all damages which may be done shall be first given to such owner in such form and in such amount as the court of common pleas of the county may direct and all damages caused by the construction or laying of such sewer mains or pipes or by the taking of lands and materials therefor shall be ascertained in the manner provided in article fourteen of this act.

[(f)] (e) Acquisition of Sewer Systems

Section 2135 Power to Acquire Sewer Systems. Any borough in which any person firm or corporation is maintaining sewers and culverts with the necessary inlets and appliances for surface undersurface and sewage drainage may become the owner of such sewers culverts inlets and appliances by [paying therefor the actual value of the same at the time of the taking by the borough] purchase or by the exercise of the power of eminent domain.

Section 2136 Assessment of Damages. In case of disagreement the amount to be paid shall be ascertained [under] in the manner provided in article fourteen of this act. In the same proceeding the viewers shall assess the costs and expenses of the sewer culverts inlets and appliances acquired by the borough upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when ascertained shall be paid by the borough.

[(g)] (f) Collection by Installment of Cost of Building and Acquiring Sewers

Section 2140 Ordinance for Installment Payments Interest. Whenever any borough shall by ordinance authorize the construction or acquisition of any sewer or system of sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot-front-rule or according to benefits the council may provide in such ordinance that the assessment may be paid in semi-annual or annual installments. Such installments shall bear interest at a rate not exceeding six per centum from the date of the commencement of the work or the construction of such improvement.

Section 2143 Liens to Secure Assessments. Liens to secure the assessments shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected.

Section 2144 Payment of Assessments. Such assessments shall be payable at the office of the borough treasurer or such other place as the ordinance shall provide in semi-annual or annual installments with interest at the rate provided from the date from which interest is computed on the amount of the assessments [The money

so received by the borough shall be applied to the payment of such bonds exclusively]

Section 2145 Default in Payment In case of default in the payment of any installment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

Section 2146 Payments in Advance Subdivisions of Property Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semi-annual or annual payment and such payment shall discharge the lien If any owner shall subdivide any property after the lien attaches he may in like manner discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable

Section 2149 General Powers Not Interfered With Nothing contained in this subdivision of this article shall prevent the construction of any sewer and the payment of the same by general taxation when the same is for the general health and public welfare of any borough

[(h)] (g) Sewer Connections

Section 2155 Ordinances to Require Sewer Connections Any borough may by ordinance require any owner of property abutting on or adjoining any street [or alley] in which is a sewer to make connections with such sewer in such manner as the borough may order for the purpose of discharge of such drainage or waste matter as the borough may specify The borough may by penalties enforce any regulation it may ordain with reference to any sewer connections

Section 2156 Notice of Ordinance Failure to Comply with Ordinance The owner shall be given forty-five days' notice of any resolution or ordinance requiring such sewer connection and upon failure to make such connection the borough may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit All connections required shall be uniform

[(i)] (h) Unlawful to Build Within Line of Sewers

Section 2160 It shall be unlawful for any person to erect any building or make any improvement within the lines of the sewers laid out or ordained to be laid out after due notice thereof and if any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

[(j)] (i) Opening Sewers

Section 2165 If any borough shall lay out or ordain any sewer over or under private property located in whole or in part within the limits of such borough and proceedings to open the same and to assess the damage arising therefrom shall not be proceeded with by the borough within two years from the enactment of the ordinance the whole proceeding shall be void

[(k)] (j) Assessment of Cost of Maintenance and Repair

Section 2170 Ordinance for Annual Rental Whenever any borough has constructed any sewer or sewer system or has acquired wholly or partially the same at public expense the council of such borough may provide by ordinance for the collection of an annual rental or charge for the use of such sewer or sewer system from the owner of property served by it The council may at its discretion in lieu of such annual rental or charge provide for the payment by such owner of a fixed sum

Section 2171 How Rental Fixed Such annual rental shall not exceed the amount expended annually by the borough in the maintenance repair alteration inspection depreciation or other expense in relation to such sewer or sewer system and may include any interest on money expended by the borough in the construction of the sewer or sewer system The said annual or fixed sum

shall be apportioned equitably among the several properties served by the said sewers

Section 2172 Collection of Rental Such annual rental or charge or such fixed sum shall be authorized and collected as provided by general ordinances and when so levied and charged shall be a lien on the properties charged The collection thereof shall be made and enforced in the manner municipal claims are [now or may hereafter be] collected

The councils of such borough shall execute a warrant or warrants authorizing the collection of such annual sewer rentals or charges or such fixed sum to the officer employed by council to collect the same Such officer shall have the authority now vested by law for the collection of borough taxes

Section 2173 Lien Such annual sewer rentals or charges or such fixed sum shall be a lien on the properties charged with the payment thereof from the date set forth in the ordinance and if not paid after thirty days' notice may be collected by an action of assumpsit in the name of the borough against the owner of the property charged or by distress of personal property on the premises or by a lien filed in the nature of a municipal lien

(k) Sewers on Boundary Streets

Section 2174 Power to Lay and Construct Boroughs shall have authority to lay and construct sewers in any [alley] street [or highway] any portion of which is within the limits of the borough and which forms a portion of the boundary dividing the borough from any other city borough or township within the same county in the same manner and to the same extent as if the whole of said [alley] street [or highway] was within the limits of said borough

Section 2175 Assessment of Benefits The property abutting on the side of said street [alley or highway] which is located outside the limits of the borough constructing such sewers shall for a depth of one hundred fifty feet be assessed for the cost of such sewer as a sewage tax in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough if such property is given permission to use such sewer and is not at the time such sewer is constructed provided with sewer facilities

(l) Non-debt Revenue Sewer Bonds

Section 2180 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any borough may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the borough but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any borough has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in opera-

tion for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any borough to create indebtedness in accordance with existing laws

Section 65 Article XXII and Sections 2201 to 2226 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXII

Water-Courses

(a) Widening and Deepening Water-Courses

Section 2201 Power to Widen and Deepen Water Courses and Erect Retaining Walls Boroughs may after a permit therefor has been secured from the Water and Power Resources Board widen and deepen water-courses running through the borough and may erect such dykes retaining walls and embankments along the same as shall be necessary to prevent the water from overflowing the banks thereof [and for] A borough may for such purposes [may] enter upon and condemn such property as may be necessary

Section 2202 Right of Entry upon Lands Boroughs may enter upon any land lying near [such] water-courses and secure such material as may be necessary for the purpose of making and repairing the embankments along such water-courses when the same cannot be obtained by contract at reasonable prices Boroughs shall cause no unnecessary damage to the owners of such lands and shall repair any fences which they may [destroy] injure

Section 2203 Appropriation of Moneys Boroughs may appropriate [for such purposes] any moneys of the borough [applicable to the making and maintaining of the streets and bridges of such borough] for the purposes of carrying into effect the preceding provisions of this article

Section 2204 Proceeding to Assess Damages Any person aggrieved by reason of any ordinance passed pursuant to the preceding sections of this article may complain to the court of common pleas and proceedings may be had in the court to fix and determine the damages for property taken injured or destroyed [and for the assessment of benefits upon property benefited and the rights of all parties interested] in the same manner as provided in article fourteen of this act

(b) Vacation and Alteration of Water-Courses

Section 2210 Power to Vacate or Alter Water-Courses Boroughs may vacate or alter the course or channel of any water-course other than navigable streams and for such purpose may enter upon and condemn such property and materials as may be necessary No such vacation or alteration shall be made until a permit therefore has been secured from the Water and Power Resources Board

Section 2211 Notice No ordinance for the vacation or alteration of the course or channel of any water-course shall be passed until notice thereof has been given by publication of the proposed ordinance at least a week for three consecutive weeks in one newspaper of general circulation published in [the county] the borough and if no such newspaper is published in the borough then in a newspaper circulating in the borough

Section 2212 Viewers to Assess Damages The borough may at any time after the passage of the ordinance present a petition to the court of common pleas setting forth the nature of the vacation or alteration proposed in the course or channel of such water-course together with a description of the proposed improvements and praying the court to appoint three viewers to ascertain the damages costs and expenses resulting therefrom and to assess the damages costs and expenses or so much thereof as the viewers may deem reasonable upon the property benefited

Section 2213 Appointment of Viewers The court or any law judge thereof in vacation shall appoint three

viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same and the premises affected

Section 2214 Proceedings to Assess Damages The proceedings before such viewers for the allowances of damages for property taken injured or destroyed and for the assessment of benefits upon property benefited shall be as provided in article fourteen of this act

Section 2215 Discontinuance of Proceedings If any borough shall repeal any ordinance passed or discontinue any proceeding taken providing for any such improvements prior to the entry upon appropriation or injury to any property or materials the borough shall not be liable to pay any damages but all costs upon any such proceeding together with any actual damage or injury sustained by reason of such proceeding shall be paid by the borough

Section 2216 Liens When the court has entered its final decree confirming the report or fixing the assessments the assessments of benefits shall become liens upon the property assessed and such claims shall be filed and collected in the same manner as municipal claims [are filed and collected or they may be collected by action of assumpsit the lien of the judgment however to be limited to the property assessed]

Section 2217 Waters Excepted Nothing contained in [this] subdivision (b) of this article shall apply to any water-course used by any municipality or water company as a source of supply unless such municipality or water company shall consent to such vacation or alteration

(c) Confining and Paving Water-Courses

Section 2220 Power to Pave and Confine Water-Courses [Upon the written request of the board of health the] A borough may after a permit therefor has been secured from the Water and Power Resources Board confine and pave any water-course or part thereof other than navigable streams within the limits of the borough [and for such purpose] For such purposes a borough may enter upon and condemn such property and materials as may be necessary to complete such work

Section 2221 Notice of Ordinance No ordinance for the confining or paving of any water-course shall be passed until notice thereof has been given by publication of the proposed ordinance once a week for three consecutive weeks in one newspaper of general circulation published in [the county] the borough and if no such newspaper is published therein then in a newspaper circulating therein

Section 2222 Petition for Viewers When the work of confining and paving of any water-course has been completed if the borough cannot agree with the property owners as to the payment of the damages costs and expenses the borough may present its petition to the court of common pleas setting forth the character of such improvements and that the damages costs and expenses incurred have not been paid and praying the court to appoint three [freeholders as] viewers to ascertain the damages costs and expenses resulting therefrom and to ratably assess the damages costs and expenses or so much thereof as the viewers may deem reasonable upon the property benefited and make report thereof to the court

Section 2223 Appointment of Viewers The court or any law judge thereof shall thereupon appoint three viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same

Section 2224 Proceedings to Assess Damages The proceedings before such viewers for the allowances of damages for property taken injured or destroyed and for the assessment of benefits upon property benefited shall be as provided in article fourteen of this act

Section 2225 Liens The final assessment against any property shall be a lien for the amount of such assessment

dating from the time of the final confirmation of the report or the final decree of the court fixing such assessment [if filed in the court within six months from the final assessment or confirmation]

Section 2226 Exceptions Nothing contained in [this] subdivision (c) of this article shall apply to any water-course used by any borough or water company as a source of supply unless such borough or water company shall consent to such confining or paving

Section 66 Article XXIII and Sections 2301 to 2305 inclusive of this act are hereby reenacted revised and amended to read as follows

Article XXIII

Electric Wires

Section 2301 Powers of Boroughs Boroughs may define by ordinance a reasonable district within which electric light electric power telephone and telegraph wires shall be placed underground in conduits owned and constructed either by the borough or by corporations owning such wires or by corporations organized for the purpose of laying such conduits and renting space therein

Section 2302 Borough Regulations Whenever conduits are owned by any person firm or corporation the borough may regulate by ordinance the manner in which conduits shall be used and the terms and conditions [and the rate of rental to be charged for space therein] of such use

Section 2303 Acquisition of Conduits Assessment of Damages Boroughs may acquire [such] conduits by purchase or by condemnation and in the latter case the court of common pleas or any judge thereof in vacation shall upon the petition of the borough appoint a jury of three viewers from the county board not residents of the borough and the proceedings for the assessment of damages shall be the same as provided in article fourteen of this act for property taken injured or destroyed

Section 2304 Borough Not to Surrender Rights The borough authorities shall not surrender or barter away the rights reserved in this article

Section 2305 Appeals from Ordinances The court of quarter sessions of the county upon the appeal of any person may review any ordinance passed pursuant to this article and may annul such ordinance if deemed unreasonable capricious or arbitrary Such appeal shall be taken within thirty days from the approval of such ordinance

Section 67 Sections 2401 to 2421 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXIV

Public Service

(a) Water Supply and Water-Works

(1) General Powers to Supply Water

Section 2401 Power to Supply Water Boroughs may provide a supply of water for the use of the public within such borough by erecting and operating water-works by purchasing and operating water-works by entering into contract with persons or corporations authorized to supply water within the limits of such borough or partly by the erection or purchase and operation of water-works and partly by entering into a contract

Section 2402 Contracts Not to Abridge Powers No contract for the supply of water hereafter entered into by any borough with any person or corporation shall in any wise abridge the power of the borough to construct and operate water-works as provided in the preceding section of this article but such power shall remain in force as though such contract had not been made

Section 2403 Issue of Bonds Where Water-Works Acquired Where the price and terms are agreed upon a borough may become the owner of and operate any water system owned and operated by a corporation furnishing

water within the acquiring borough and in [adjacent] nearby townships or [nearby] boroughs and may pay therefor [by obligations secured by liens on the property acquired and which shall be secured solely by such water works systems and property and the revenues thereof and without any other liability on the part of such borough which obligations shall be exempt from taxation for any purpose] from the revenues derived from general obligation bonds or utility bonds or non-debt revenue bonds issued in the manner provided by the Municipal Borrowing Law Provided That this section shall not apply where a duly organized water company is authorized to furnish and is furnishing service in the [adjacent] nearby townships or [nearby] boroughs where the water company whose system is purchased under the provisions of this act had been furnishing service

Section 2404 [Vote of Electors in Special Cases In all boroughs where authority is given to construct water-works and where the qualified voters are given the right to determine by vote the expediency of constructing such water-works and whenever the question of expediency has been submitted to a vote and has been determined in favor of such expediency and the construction of such works has not been commenced within four years after such election it shall be unlawful thereafter to proceed with such construction until the expediency thereof has been determined by another election] Refunding Bonds Where any borough has heretofore acquired or shall hereafter acquire any water-works and the appurtenances thereto subject to any existing lien or liens and at the time of such acquisition issues utility bonds secured solely by liens on the property of such water-works and imposing no municipal liability then the borough may at the time such utility bonds mature or at any time prior thereto issue and sell utility bonds for the purpose of refunding such outstanding bonds which refunding bonds shall be issued as utility bonds in the manner provided by the Municipal Borrowing Law Such bonds so issued shall not be deemed to be the creation of new obligations but be deemed a continuation of the bonds existing or created at the time of the original acquisition of said water-works and the appurtenances thereto

Such bonds shall not be refunded for a longer period than twenty years and the refunding lien bonds issued shall not bear interest at a rate exceeding six per centum and the amount of the refunding lien bonds so issued shall not exceed in the aggregate the amount of the bonds to be refunded Provided however That any moneys placed in any fund by the borough or by any commission of water-works for the purpose of redeeming or paying such bonds at maturity shall be first applied to the payment as far as applicable of the principal of such bonds to be refunded and the balance of such bonds only shall be refunded by the issue of new bonds

Section 2405 Rates in Particular Boroughs Whenever the schedule of water-rates in any borough owning or controlling water-works shall have been fixed or limited by [general or] special act of Assembly the borough may change the rates or schedule of rates from time to time [so that the same shall not at any time exceed the rates now limited]

Section 2406 Contracts to Supply Water for [Fire Protection] Municipal Purposes Boroughs may receive bids from incorporated water companies authorized to do business within such borough for the supply of water for fire protection and for other municipal purposes and may contract therefor with such company

Section 2407 Power to Supply Water Beyond Limits of Borough Whenever any borough is maintaining water-works it shall be lawful for such borough to supply water for ordinary and domestic uses to persons and corporations outside the limits of such borough [at rates not less than those required to be paid by persons and corporations within the limits of such borough] but no such privilege shall conflict with the corporate rights of any water company or the rights of any other borough

Section 2408 Assessment for Water Mains [That boroughs in this Commonwealth] Boroughs shall have power to assess the whole cost or any part of the cost of construction of new water mains built in connection with the establishment or extension of a municipally owned water supply system and serving the properties abutting thereon against the properties abutting along the line thereof by the front-foot rule and to collect such assessments as other municipal claims are now by law collectible. Provided That the assessment shall be abated to the owner of the property assessed out of rates charged for water consumed in serving the property so assessed. And provided further That the borough may issue negotiable credit memorandum to the amount of the assessment which may be used for the payment of any water service to the extent of the said assessment.

(2) Acquisition by Eminent Domain

Section 2410 Appropriation of Lands and Waters Any borough desiring to erect water-works or to improve its water supply may appropriate springs streams rivers or creeks and lands easements and rights of way within or without its limits and for the purpose of conducting water obtained outside the limits of the borough may lay pipes under and over any lands rivers streams bridges highways and [across] under railroads. No water appropriated under the provisions of [the preceding] this section shall be used in such manner as to deprive the owner thereof of the free use and enjoyment of the same for domestic or farm purposes.

Section 2411 Agreements as to Damages Bonds Prior to any such appropriation the borough shall attempt to agree with the owner as to the damage done or likely to be done and if the parties cannot agree [or the owner cannot be found or is under legal incapacity] the borough shall file its bond in the court of common pleas conditioned for the payment to the owner of the property of the damages for the taking thereof when the same shall have been ascertained. Upon the approval of the bond and filing thereof the borough may enter upon such property.

Section 2412 Appointment of Viewers Proceedings Upon petition of either the property owner or borough at any time thereafter the court shall appoint three viewers from the county board of viewers who shall assess the damages for the property or rights appropriated and shall fix a time for their meeting of which notice shall be given to all parties interested. The proceedings for the assessment of damages shall be as provided in article fourteen of this act.

(3) Acquisition by Purchase after Appraisalment

Section 2415 Petition to Court Expressing Desire to Acquire Water-Works Whenever any person firm or any corporation shall own any water-works or system and a borough is desirous of owning and operating such water-works or system such borough may present its petition to the court of common pleas of the county setting forth that the borough is desirous of owning such water-works or system and that it will be necessary to issue bonds [to be secured by such water-works or system] and that a value should be placed upon such water-works or system including all property real and personal used in connection therewith.

Section 2416 Appointment of Engineers as Appraisers to Make Valuation The court shall thereupon appoint three civil engineers as appraisers to value and appraise such water-works or system and the property used in connection therewith and the contracts or agreements with municipalities or townships who shall file their report in the court within three months after their appointment unless such time be extended by the court.

Section 2417 Powers of Appraisers The appraisers shall have access to the books and records of the person firm or corporation owning such water-works or system to inform themselves as to the income and value thereof. They shall have power to administer oaths and are authorized

to take the testimony of witnesses. Their report shall be final if not appealed from.

Section 2418 Appeal from Appraisalment Within ten days after notice of filing of any report in court either party may appeal from such appraisalment alleging an undervaluation or overvaluation of the property and praying for a hearing before the court. The court shall thereupon fix a time when such appeal may be heard of which time at least ten days' notice shall be given to the parties and upon such hearing the court shall have power to affirm or modify such report [and either] as to it appears just and proper. Either party may appeal from the final confirmation of such report to the Superior or Supreme Court.

Section 2419 Effect of Failure of Owner of Works to Accept Price Fixed After the value is finally determined the borough is authorized to buy such water-works or system at the valuation so fixed and the person firm or corporation owning the same shall within ten days after notice file in court its consent to sell and convey its water-works or system and property to the borough at the valuation fixed and in default thereof such person firm or corporation shall cease to have any exclusive privilege of supplying the borough or the citizens thereof with water and the borough may install such water-works or system as may be necessary for the accommodation of the public.

Section 2420 Issue of Bonds For the purpose of such purchase the borough may issue [bonds which shall be secured solely by such waterworks systems and property and the revenues thereof and without any other liability on the part of such borough] utility or non-debt revenue bonds in the manner provided by the Municipal Borrowing Law.

Section 2421 Limit of Bond Issue Such bonds shall not exceed in amount the value fixed by the appraisers or the court. The proceeds of the sale of such bonds shall be used exclusively for the purpose of paying for the property acquired.

Section 68 Sections 2422 2423 and 2424 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed.

Section 69 Sections 2430 2431 2432 2435 and 2436 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows:

(4) Power to Lease Water-Works

Section 2430 Lease of Water-Works The council of any borough may [on behalf of such borough] enter into a contract with any private individual copartnership association or corporation for the leasing of any water supply works systems and property or both of such [private] individual copartnership association or corporation.

Section 2431 Term of Lease Rental The said leasing may be for such term of years and at such rentals as shall be agreed upon by the borough and the [private] individual copartnership association or corporation.

Section 2432 Operation of Property The property so acquired shall be operated in the same manner as if the same had been acquired by such borough by purchase or condemnation proceedings.

Section 2433 Rates The council of the borough with the consent of the Public [Service] Utility Commission shall fix the rates to be charged for the water furnished [within] without the limits of such borough to individuals copartnerships associations or corporations.

(5) Joint Water-Works

Section 2435 Joint Acquisitions and Constructions Two or more boroughs may unite or any borough may unite with a city or township in the construction or acquisition and maintenance of works for the supply of water.

Section 2436 Permit of Sanitary Water Board The construction of such water-works [as provided for in the preceding section] shall be after plans for such water-works have been filed with the State Commissioner of Health and a permit issued in accordance with the act

of Assembly of April twenty-second one thousand nine hundred and five page two hundred sixty entitled "An act to preserve the purity of the waters of the State for the protection of the public health" shall be commenced only after plans for such water-works have been filed with the Department of Health and the Water and Power Resources Board and permits issued in accordance with law

Section 70 Article XXIV of said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto Section 2437 as follows

Section 2437 Joint Commission of Water Works The boroughs cities and townships joining in any such construction or acquisition and maintenance of works for the supply of water in order to facilitate the building operation and maintenance of the same and in securing preliminary surveys and estimates may by ordinance provide for the appointment of a joint commission of water works composed of one representative from each of the boroughs cities and townships joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The commission shall organize by the election of a chairman secretary and treasurer The secretary and treasurer may be the same person The several boroughs cities and townships may in the ordinances creating the commission authorize it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to share the compensation for attending its meetings as shall be fixed in the budget prepared by the commission and submitted to and adopted by the several boroughs cities and townships The budget item providing for the compensation to the members for attending meetings shall not exceed two hundred fifty dollars (\$250) per year but members in addition thereto shall be entitled to actual expenses to be paid by the respective boroughs cities and townships which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid a fee for any meeting he does not attend

Section 71 Sections 2440 to 2492 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(6) Condemnation of Lands for Road Purposes and to Prevent Contamination

Section 2440 Overflowing Roads Acquisition of Lands to Reconstruct Roads Whenever any borough in supplying water to the public shall find it necessary in storing water to occupy and overflow with water portions of any [turnpike or] public road or whenever any public road leads into or crosses over any reservoir used for the storage of water the borough shall cause such [turnpike or] road to be reconstructed at its own expense on a favorable location and in as perfect manner as the original road and for such purposes is authorized to condemn land whenever an agreement as to the price cannot be had with the owners

Section 2441 Filing Maps and Plans After such change is made the borough shall file in the court of quarter sessions of the county a map or plan showing such change of road and shall furnish to the supervisors or other authorities of the township or municipal corporation a copy of such map

Section 2442 Condemnation of Lands to Prevent Contamination Boroughs may acquire by purchase or condemnation such lands along and contiguous to the streams of water or reservoirs from which water is taken for public use as may be necessary to preserve the same from contamination

Section 2443 Security for Payment of Damages No land shall be taken for the uses mentioned in this subdivision [of this article] until compensation therefor shall have been paid or secured before such taking injury or destruction

Section 2444 Condemnation Proceedings The damages incurred in changing the location of any such [turnpike or] public road and in condemning land to preserve water from contamination shall be ascertained in the manner provided in article fourteen of this act and shall be paid by the borough

(7) Commission of Water-Works

Section 2450 Commission May Be Established Whenever any borough owns and maintains water-works there may be established in such borough a commission of water-works to be composed of three citizens of the borough who shall be known as commissioners of water-works

Section 2451 Application To Court For Appointment Of Commissioners Any borough desiring to avail itself of the provisions of this [act] article so far as it relates to a commission of water-works shall by resolution passed by the council and recorded in its minutes apply to the court of common pleas of the county for the appointment of commissioners of water-works

Section 2452 Terms of Commissioners It shall be the duty of the court of common pleas upon application of any borough to appoint such commissioners of water-works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the court shall appoint one commissioner of water-works to serve a term of three years In case of a vacancy the court shall fill the same for the unexpired term

Section 2453 Rescinding Action After three years from the first appointment the borough may at any time rescind the resolution asking for the appointment of a commission of water-works When such resolution shall be rescinded the court shall make no further appointment of commissions until a resolution shall again be passed by a council asking for such appointment

Section 2454 Commissioners To Receive Expenses The commissioners of water-works shall not receive any salary for the services but shall be paid all [moneys necessarily expended] expenses necessarily incurred in the performance of their duty

Section 2455 Organization of Commissioners It shall be the duty of the commissioners of water-works to meet within ten days after their first appointment and annually thereafter and organize by electing a president and secretary

Section 2456 Powers of Commission After Organization the commissioners shall take charge and control of the water-works of such borough The commissioner shall have power to appoint all necessary officers and agents and take from them such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of such water-works and the erection of new water-works to collect water-rents and to make and establish the rates and conditions upon which water will be furnished to applicants therefor and to make by-laws and regulations for the economic and efficient management of such water-works

Section 2457 Issue of Bonds The borough may upon the request of the commissioners of water-works issue general obligation or non-debt revenue bonds for the extension of the water-works or the erection of new water-works Such bonds shall be designated "water-works bonds" and shall be [delivered to the commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased The bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which such bonds were issued] issued and sold in the manner provided by the Municipal Borrowing Law

Section 2458 Plans and Specifications for the Improvements Contracts The commissioners shall prepare plans and specifications of all work to be performed and

materials necessary for the repair maintenance and extension of such water-works or the erection of new water-works and shall after plans and specifications for the extension or the erection of water-works have been submitted to and approved by the Sanitary Water Board and a permit granted therefor by the board invite proposals for the performing of such work and the furnishing of such materials and shall let contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 2459 Reports by Commission The commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of the water-works which shall be published by the council for the information of the public

Section 2460 Care of Funds The commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending such water-works and the erection of new water-works All moneys remaining after such expenditures shall be used for the payment of any indebtedness on said waterworks and any indebtedness incurred by the borough for constructing maintaining improving enlarging or extending said water-works Said moneys shall be used for no purpose other than as provided in this section No money shall be drawn from such fund except upon order countersigned by the president and secretary of the commission

Section 2461 By-Laws and Regulations All by-laws and regulations relating to the management and operation of the waterworks and the supply of water to the public not inconsistent with the laws of the Commonwealth the rules and regulations of the Sanitary Water Board or the Water and Power Resources Board when made by the commissioners shall have the force and effect of ordinance of such borough

Section 2462 Government of Joint Works Whenever two or more boroughs or any borough and a city or township jointly construct and maintain water-works and desire to avail themselves of the provisions of this act so far as it relates to a commission of water-works the councils of such boroughs may join with the council of the city or commissioners or supervisors of such township after ordinance duly passed and apply to the court of common pleas of the county for the appointment of a commission of water-works in accordance with this subdivision of this article Such commission shall be composed of citizens of each of the boroughs cities and townships so uniting

(b) **Manufacture and Supply of Electricity**

Section 2470 Manufacture and Purchase of Electricity Boroughs may manufacture or purchase electricity for the use of the inhabitants of such borough Boroughs owning or operating electric light plants may make contracts for supplying electricity for commercial purposes outside the limits of such borough with the consent of the municipal and township authorities [at rates not less than those established from time to time within the limits of such borough] Nothing in this section shall conflict with the corporate rights of any corporation empowered to supply electricity in territory adjacent to such boroughs or with the rights of any other borough No person firm or corporation shall introduce electric current for light heat or power purposes without the consent of the borough authorities into the limits of any borough which is furnishing electric current to the inhabitants Provided however That this section shall not apply to any person firm or corporation manufacturing electricity exclusively for its own use

Section 2471 May Regulate Use and Prices Boroughs furnishing electricity may regulate the use of electricity in dwelling houses storerooms and other places in such boroughs and the price to be charged for the same

Section 2472 Purchase of Electric Light Works Whenever any person copartnership or any electric light company organized under the laws of this Commonwealth is furnishing light to any borough or the public such borough is authorized to purchase the works of such person copartnership or corporation at such price as may be agreed upon by the borough and such person or copartnership or a majority in value of the stockholders of such corporation

Section 2473 Petition for Viewers Upon failure so to agree the borough may present a petition to the court of common pleas asking for the appointment of viewers to assess the value of the plant and works so taken whereupon the court shall appoint three viewers from the county board of viewers neither of whom shall be interested in such works or be stockholders in such corporation or taxpayers in such borough and shall appoint a time for their meeting of which ten days' notice shall be given to all parties in interest

Section 2474 Duty of Viewers The viewers having been sworn or affirmed justly and impartially to appraise the property and having viewed the premises and taken such testimony as may be offered by any party touching the value of the property and franchises they shall determine the amount of damages that such person copartnership or corporation will sustain and to whom payable and make report thereof to the court which report [having been confirmed by the court judgment shall be entered thereon] shall be confirmed "nisi" by the court and if no appeal is taken as hereinafter provided shall be confirmed absolutely

Section 2475 Appeal from Report Either party may at any time within thirty days after the confirmation "nisi" of any such report appeal therefrom to the court of common pleas of the county

Section 2476 Trial by Jury After such appeal either party may put the case at issue in the form directed by the court and the same shall be tried before a jury After final judgment either party may have an appeal to the Superior or Supreme Court

Section 2477 Exceptions to Report If any exceptions are filed with any appeal they shall be speedily disposed of and if allowed a new view shall be ordered but if disallowed the appeal shall proceed as before provided

Section 2478 Notices The court shall have power to order what notice shall be given in connection with any part of such proceedings

Section 2479 Vote on Increase of Indebtedness Before any borough shall construct an electric light plant or purchase the property of any person copartnership or electric light company the question of the increase of the debt of such borough for any of such purposes shall first be submitted to the qualified voters of the borough in the manner provided by law for the increase of indebtedness of municipal corporation

(c) **Operation of Gas Wells for Municipal Purposes**

Section 2485 Any borough shall authority to purchase own use operate and control any natural gas well or wells within the limits of such borough or in the vicinity thereof for the purpose of supplying natural gas for its own municipal purposes the expense thereof to be paid out of the revenue of such borough

(d) **Airports**

Section 2490 Authority to Secure Lands for Airports All boroughs are hereby authorized and empowered to acquire by lease or purchase any land lying either within or without the limits of such boroughs which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities

The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by article fourteen of

the act to which this is an amendment The title acquired by the borough exercising the power of condemnation shall be a title in fee simple

Section 2491 Authority to Establish Airports and Lease The Same Any borough of this Commonwealth acquiring land under the provisions of this [act] article is authorized and empowered to establish equip condition operate and maintain the same as a municipal airport landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and any borough [of this Commonwealth] may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Section 2492 Joint Airports Any borough acquiring land under the provisions of this act is authorized and empowered to acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

Section 71.1 Section 2493 of Said Act be and the Same is Hereby Repealed

Section 72 Sections 2501 2502 2503 and 2504 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXV

Public Buildings and Works

(a) Eminent Domain General [Powers] Provisions

Section 2501 Exercise of Eminent Domain Boroughs may enter upon and appropriate private property and also land heretofore granted or dedicated to public use or other use and which is no longer used for the purpose for which the same was granted or dedicated and also lands where the title is defective disputed or doubtful for the erection thereon of such public buildings and works as are necessary for municipal purposes within the limits of such borough

Section 2502 Lands Excepted No land or property used for any cemetery burying-ground or place of public worship shall be taken or appropriated by virtue of any power contained in the preceding section of this article

Section 2503 Declaration of Intention Whenever the municipal authorities desire to acquire enter upon take use and appropriate any such private property or lands for any of such purposes they shall declare such intention by an ordinance duly enacted

Section 2504 Proceedings The compensation and damages arising from such taking using and appropriating of private property for the purposes aforesaid shall be considered ascertained determined awarded and paid in the manner [hereinafter] provided in article fourteen of this act

Section 73 Sections 2505 2506 2507 2508 and 2509 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 74 Section 2510 of said act of May 4 1927 (P. L. 519) is hereby renumbered Section 2505 and is reenacted as follows

Section [2510] 2505 Payment of Damages and Costs All damages when ascertained the costs of the viewers and all court costs incurred in such proceedings including advertising printing and posting notices shall be paid by the borough

Section 75 Section 2511 of said Act of May 4. 1927 (P. L. 519) be and the same is hereby repealed

Section 76 Subdivision (b) of Article XXV and Sections

2520 2521 and 2522 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(b) Garbage [and Treatment Works] Plants

Section 2520 Power to Purchase Real Estate Any borough separately or [two or more boroughs] jointly [including the right also of such boroughs to join] with [a] another borough city or township [or townships] may purchase any real estate within or without the borough limits of any such borough cities or townships upon which to erect and maintain garbage or incinerating [furnaces and sewage-treatment works with the necessary filterbeds appliances drains and sewers] plants

Section 2521 Approval of Site Boroughs desiring to locate any garbage or incinerating plant shall first apply separately or jointly as the case may be to the court of common pleas for its approval of the location thereof whereupon the court shall fix a date when objections to the location will be heard and shall prescribe what notice of such hearing shall be given If at the time fixed for such hearing no objections shall be made to such location the same shall be approved but if objection [be] is made then the court shall proceed to hear the matter and determine whether the location is a detriment to neighboring properties The finding of the court shall be conclusive but shall in no way adjudicate any question relating to damages for injury to property

Section 2522 Proceedings Where Owner Unknown In case the borough or boroughs cannot agree with the owner of such property as to the price [or in case the owner is absent or incapacitated from any cause or is unknown by reason of which no agreement can be made] the borough or boroughs separately or jointly may take and appropriate for any of such purposes any real estate after an ordinance or ordinances shall have been passed providing for such taking and appropriating

Section 77 Sections 2523 2524 2525 and 2526 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 78 Section 2527 of said Act of May 4 1927 (P. L. 519) is hereby renumbered Section 2523 and is reenacted revised and amended to read as follows

Section [2527] 2523 Proceedings The proceedings before [such] the viewers for the [allowance] assessment of damages for property taken injured or destroyed under this article and the proceedings upon their report shall be as provided in article fourteen of this act

Section 79 Sections 2601 and 2602 of said Act of May 4 1927 (P. L. 519) are hereby reenacted and amended to read as follows

Article XXVI

Wharves and Docks

Section 2601 Power with Regard to Wharves And Docks Boroughs may erect and repair wharves and docks regulate and fix the rate of wharfage for all public wharves and docks within their limits and enforce the collection of wharfage for the use of the same and also regulate the anchoring of vessels boats or rafts within their limits and the depositing of freight on such public wharves

Section 2602 Purchase and Condemnation of Real Estate Boroughs may acquire by purchase or condemnation such real estate as they may need for the construction of wharves and docks within the limits of such boroughs along navigable [streams] waters No real estate for the erection of wharves and docks shall be so taken or appropriated until an ordinance authorizing the same shall have been passed and approved

Section 80 Sections 2603 2604 2605 2606 2607 2608 2609 and 2610 of said Act of May 4 1927 (P. L. 519) are hereby repealed

Section 81 Sections 2611 2612 2613 2614 2615 and 2616 of said act are respectively renumbered Sections 2603 2604 2605 2606 2607 and 2608 and are hereby reenacted revised and amended to read as follows

Section [2611] 2603 Proceedings The proceedings before [such] the viewers for the [allowance] assessment of damages for property taken injured or destroyed under

this article and the proceedings on their report shall be as provided in article fourteen of this act The costs of all proceedings including the compensation of the viewers shall be paid by the borough

Section [2612] 2604 How Damages Assessed The damages for the taking or injury of any property for use as a wharf pier or bulkhead shall include full compensation for the value of the property taken or injured and if the property so taken or injured shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including buildings and all equipments installed and used in such plant before and after taking or [injuries] injury and notwithstanding that part of such plant may be separated by a highway

Section [2613] 2605 Leases Boroughs may lease any wharf or part thereof and collect rent therefor by distress or otherwise No one term of any such lease shall be for a longer period than three years

Section [2614] 2606 Market-Houses and Terminal Sheds Boroughs may erect and maintain market-houses and terminal sheds on wharves for the receipt and distribution of freight and express [hailed by boats railroads and street cars] Boroughs may also construct railroad and street railway tracks or other facilities on wharves to provide for the convenient hauling of such freight or express matter and collect rents tolls or charges for the use of such market-houses terminal sheds tracks and facilities No permit other than a license revocable at will shall be granted and no exclusive permit for the use of such facilities shall be granted

Section [2615] 2607 Public Use Preserved No structure erected and no right granted under the powers conferred by any of the preceding sections of this article shall interfere with the public use of wharves for [river] waterborne commerce

Section [2616] 2608 Saving Clause Nothing contained in this article shall be construed as conferring upon boroughs any power conferred by existing law on the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries or to permit boroughs to do any act or to enact any ordinance inconsistent with the laws relating to said board or the rules and regulations of said board

Section 82 Sections 2701 to 2708 inclusive of this act are hereby reenacted revised and amended to read as follows

Article XXVII

Parks Shade Trees Forests

(a) Parks and Playgrounds Et Cetera

Section 2701 Power to Maintain and Improve [Borough] Boroughs may provide improve maintain and regulate public parks parkways and playgrounds playfields swimming pools public baths bathing places indoor recreation centers and gymnasiums hereinafter called recreation places within the borough limits or in adjacent townships Two or more boroughs may jointly provide improve maintain and regulate [public parks parkways and playgrounds and playfields including swimming pools bathing places indoor recreation centers and gymnasiums] such recreation places within the limits of any township adjacent to any one of such boroughs All expenses relative thereto shall be borne by the respective boroughs in such proportion as may be agreed upon by the councils thereof

Section 2702 Power to Acquire Boroughs may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of the borough or in adjacent townships or any borough may designate and set apart any lands or buildings owned by the borough and not dedicated or devoted to other public uses and two or more boroughs may jointly appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of any township adjacent to either of such boroughs for the purpose of making enlarging and maintaining [public parks parkways and playgrounds playfields swimming pools public baths bathing places indoor recreation centers and gymnasiums] recreation places All the costs and expenses

relative to any such property acquired by two or more boroughs jointly shall be paid by the respective boroughs in such proportions as may be agreed upon by the councils thereof

Boroughs may likewise acquire private property within the limits of another borough or city for the purposes designated in this section if the other borough or city shall by ordinance signify its consent thereto

Section 2703 Limit on Obligations No appropriation purchase or lease shall be made pursuant to the preceding sections whereby any borough shall within any period of three years obligate itself to pay in the aggregate any sum exceeding one and one-half mills on the dollar on the assessed valuation of all property offices professions and persons in the borough upon which [county] borough taxes are [rated and] levied without the consent of a majority of the electors obtained as hereinafter provided Provided [however] That no such election shall be required in any case where the question of the increase of indebtedness of the borough for any of the foregoing purposes shall have been submitted to and assented to by a majority of the electors of the borough voting on such question at an election held according to law

Section 2704 Submission to Voters Whenever any borough shall by ordinance provide for the appropriation purchase or leasing of private property for the purpose aforesaid and the value of such property or the rental thereof shall alone or when added to the amount of liability incurred for any of the purposes aforesaid within the preceding three years exceed one and one-half mills on the dollar of valuation as provided in the preceding section and the question of the increase of indebtedness of the borough for any of said purposes has not been submitted to and assented to by a majority of the electors voting on such question at an election held for the purpose of obtaining such assent according to law the council shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the borough at an election to be held at the places of holding elections in said borough on a day to be fixed by council which shall be the day of a general municipal or primary election

Section 2705 Notice of Election The council shall give notice of the proposed submission of such question by weekly advertisements in not more than three newspapers published in the borough and if no such newspapers are published in the borough then in such newspapers circulating in the borough for a period of four weeks immediately preceding the day of election [and if no newspapers be published therein by twenty printed handbills posted in conspicuous places at least twenty-one days prior to such election]

Section 2706 Question to be Submitted For the purpose of having such question appear upon the ballot the council shall certify the question to the county [commissioners] board of elections at least twenty-one days before the day of election The question may be stated substantially as follows

"Shall the borough of acquire by purchase or condemnation or both at a price not exceeding dollars (or by lease for not more than years at an annual rental of not more than dollars) property for the purpose of making (or of enlarging) public parks parkways and playgrounds and playfields including swimming pools bathing places indoor recreation centers and gymnasiums within the locality bounded by"

The council may at their discretion omit the designation of the locality

Section 2707 Result of Submission to Voters The result of the vote on such question shall be ascertained and certified in the manner provided by the election laws of this Commonwealth No such question determined negatively by the voters shall be again submitted within fifty-one weeks

Section 2708 Appropriation for Public Purposes The appropriation of private property for the purpose of making enlarging and maintaining [public parks park-

ways and playgrounds and playfields including swimming pools bathing places and gymnasiums] recreation places is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the borough raised by taxation shall be pledged as security

Section 83 Section 2709 2710 2711 and 2712 of said act of May 4 1927 (P L 519) are hereby repealed

Section 84 Section 2713 of said act of May 4 1927 (P. L. 519) is hereby renumbered Section 2709 and is reenacted and amended to read as follows

Section [2713] 2709 Proceedings The proceedings before the viewers for the assessment of damages for property taken injured or destroyed under this article and the proceedings upon their report shall be as provided in article fourteen of this act

Section 85 Sections 2714 and 2715 of said act of May 4 1927 (P L 519) are hereby repealed

Section 86 Sections 2716 2717 2718 2719 2720 2721 2722 2723 2724 and 2725 of said act are hereby renumbered respectively 2710 2711 2712 2713 2714 2715 2716 2717 2718 and 2719 and are hereby reenacted revised and amended to read as follows

Section [2716] 2710 Validation of Prior Acquisitions Whenever prior to the first day of June one thousand nine hundred and eleven any borough acquired land outside its corporate limits for park purposes such borough may own and possess such land for park purposes and is authorized to lay out and maintain the same and to appropriate money to defray expenses incident to such work

Section [2717] 2711 Plan of Parks and Playgrounds Every borough shall have a general plan of its parks and playgrounds which plan shall be filed in the office of the engineer or other proper officer of the borough. All subdivisions of property thereafter made shall conform thereto. The location of parks and playgrounds laid out and confirmed by the borough council shall not afterwards be altered without the consent of council and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the county until approved by the borough council

Section [2718] 2712 No Damages for Building Within Lines No person shall recover any damages for the taking for public use of any buildings or improvements of any kind placed or constructed upon or within the lines of any located park or playground after the same has been located by the borough council

Section [2719] 2713 Creation of Recreation Board The authority to supervise and maintain [playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation places may be vested in any existing body or board or in a recreation board as the borough council shall determine. The corporate authorities of any such borough may equip operate and maintain the [playgrounds playfields gymnasiums swimming pools bathing places public baths or indoor recreation centers] recreation places as authorized by this act. Such authorities may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officers or employees as they deem proper

Section [2720] 2714 Composition of Board If the borough council shall determine that the power to equip operate and maintain [playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation centers] recreation places shall be exercised by a recreation board they may establish in said borough such recreation board which shall possess all the powers and be subject to all the responsibilities of the respective authorities under this article. Such board when established shall consist of five persons and when established in a borough having a school board two of the members [shall] may be members or appointees of the school board. The members of the board shall be appointed by the [burgess] council of such borough and shall serve for terms of five years or until their successors are appointed except that

the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Members of such board shall serve without pay. Women shall be eligible for appointment. Vacancies in such board occurring otherwise than by expiration of term shall be filled for the unexpired term [and shall be filled] in the same manner as original appointments

Section [2721] 2715 Organization of Board Employees The members of a recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this [act] article such board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction

Section [2722] 2716 Joint Ownership and Maintenance Any two or more boroughs or a borough with any city or township or a borough with a county may jointly acquire property for and operate and maintain any [playgrounds playfields gymnasiums public baths bathing places swimming pools or indoor recreation centers] recreation places. Any school district shall have power to join with any borough or boroughs in equipping operating and maintaining [playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers] recreation places and may appropriate money therefor

Section [2723] 2717 Issue of Bonds The borough council may issue general obligation bonds for the purpose of acquiring lands or buildings for [playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers] recreation places and for the equipment thereof

Section [2724] 2718 Maintenance and Tax Levy All expenses incurred in the operation of such [playgrounds playfields gymnasiums swimming pools public baths bathing places and indoor recreation centers] recreation places established as herein provided shall be payable from the treasury of such borough or boroughs township city county or school district as may be provided for by agreement of the corporate authorities. The local authorities of such borough [or school district] having power to appropriate money therein may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such borough [or school district] for the purpose of maintaining and operating [playgrounds playfields gymnasiums public baths bathing places swimming pools and recreation centers] recreation places

Section [2725] 2719 Lease for School Athletics Any borough maintaining a park or parks may lease a part or all of any such park suitable for athletic sports and athletic games to any school board or school athletic association organized by a school board and organized for the purpose of conducting amateur athletic sports and games among pupils of the public school and may permit such school board or school athletic association organized by a school board to charge admission to such sports and games and to deny persons refusing to pay admission access to the grounds where such sports or games are being conducted if such sports and games are not conducted for individual profit. All such leases heretofore made by any borough or park or recreation board acting for a borough are hereby ratified confirmed and made valid

Section 87 Sections 2730 to 2757 inclusive of said act of May 4 1927 (P L 519) are hereby reenacted revised and amended to read as follows

(b) Shade Trees

(1) Shade Tree Commission

Section 2730 Shade Tree Commission [Borough] A borough by ordinance may establish a commission to be known as the Shade Tree Commission [of such borough]

Section 2731 Composition of Commission The commission shall be composed of three [freeholders] residents of the borough who shall be appointed by the burgess and shall serve without compensation

Whenever a shade tree commission is established by any

borough the burgess shall appoint [three freeholders] one member for a term of three years one for a term of four years and one for a term of five years

On the expiration of the term of any commissioner a successor shall be appointed by the burgess to serve for a term of five years

Vacancies in the office of commissioner shall be filled by the burgess for the unexpired term

Section 2732 Powers may be Vested in Park Commission Whenever in any borough there exists a commission for the care of public parks the council may by ordinance [accept the provisions of this article so far as it relates to the subject of the shade tree commission and thereafter] confer on the park commission [shall have] all the powers and [be subject to] all the duties prescribed by this article for the shade tree commission

Section 2733 Powers of Commission The commission shall have exclusive custody and control of the shade trees in the borough and is authorized to plant remove maintain and protect shade trees on the public highways in the borough

The commission may employ and pay such superintendents engineers foresters tree-wardens or other assistants as the proper performance of the duties devolving upon it shall require and may make publish and enforce regulations for the care and protection of the shade trees of the borough No such regulation shall be in force until it has been approved by the council and until it has been published at least twice in [one or] not more than two newspapers of general circulation published in the borough and if no newspapers are published in the borough then in such newspapers circulating in the borough

Section 2734 Report of Commission The shade tree commission shall annually report in full to the burgess its transactions and expenses for the last fiscal year of the borough The park commission [in boroughs accepting this article] may incorporate such transactions and expenses in its regular report to council

Section 2735 Notices by Commission Whenever any shade tree commission or park commission [in boroughs accepting this article] propose to plant transplant or remove shade trees on any [highway] street notice of the time and place of the meeting at which such work is to be considered shall be given in [one or more] not more than two newspapers published in the borough and if no such newspapers are published in the borough then in such newspapers circulating in the borough once a week for two weeks immediately preceding the time of the meeting The notice shall specify in detail the [highways] streets or portions thereof upon which trees are proposed to be so planted replanted or removed

Section 2736 Payment by Owners The cost of planting transplanting or removing any shade trees in the [highways] streets of the borough of the necessary and suitable guards curbing or grading for the protection thereof and of the replanting of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done

The amount each [freeholder] owner is to pay shall be ascertained and certified by the commission to council and to the borough treasurer

Section 2737 Assessments Liens Upon the filing of the certificate with the council the secretary of the borough shall cause thirty days' written notice to be given to the persons against whose property an assessment has been made The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied with a copy of the certificate

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the council and if not paid within the time designated in the notice a claim may be filed and collected by the borough solicitor in the same manner as municipal claims are filed and collected

Section 2738 Maintenance by Borough Tax Levy The

cost and expenses of caring for such trees after having been planted and the expense of publishing the notice [provided in the preceding section] hereinbefore provided for shall be paid by the borough

The needed amount shall each year be certified by the commissioners to the borough council and shall be drawn against as required by the commission in the same manner as money appropriated for borough purposes

The borough council may levy a general tax not to exceed the sum of one-tenth of one mill on the dollar on the assessed valuation of the property in said borough for the purpose of defraying the cost and expenses of caring for such shade trees and the expense of publishing the notice [provided in the preceding section of this article] or it may provide for the expense of the caring for trees already planted and of publishing the notice [required by the preceding section of this article] by appropriations equal to the amount certified to be required by the commission

Section 2739 Penalties The commission to the extent as may be provided by ordinance of the borough may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

All penalties or assessments imposed under this article shall be paid to the borough treasurer to be placed to the credit of the commission subject to be drawn upon by the commission for the purposes of the preceding sections of this article

(2) Power of Boroughs as to Shade Trees

Section 2745 Ordinances to Require Planting and Replanting Boroughs may by ordinance upon the petition of a majority of the property owners upon any public street thereof require the planting and replanting of suitable shade trees along and upon the sides of such streets upon such alignment and at such points as may be designated by such ordinance [designated] by the owners of property abutting the street at the points designated This section does not authorize boroughs to require the planting or replanting of trees at any point which may interfere with the necessary or reasonable use of any street or abutting property or unreasonably interfere with any business conducted thereon

Section 2746 Power of Borough Where owners Fail to Comply On failure of any owner after reasonable notice to comply with the terms of any such ordinance the borough may cause such trees to be planted or replanted at the expense of the borough and thereupon in the name of the borough collect the cost of such work from the owners in default as debts of like amount are by law collected

(c) Forests

Section 2750 Acquisition of Land for Forest Purposes Boroughs may acquire by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [commissioner of forestry] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the borough Such tracts may be of any size suitable for the purpose and may be located within or without the borough limits

Section 2751 Approval of [Secretary] Department of Forests and Waters Before the passage of any ordinance for the acquisition of land to be used as municipal forests the burgess shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

Section 2752 Ordinance Declaring Intention Whenever the council of any borough deems it expedient to acquire any lands for the purposes of municipal forests it shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage]

Section 2753 Appropriations of Money All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for borough purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

Section 2754 Rules and Regulations Upon the acquisition of any municipal forests and lands suitable [for such] thereof the council shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and the council shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing borough revenue by the sale of forest products

Section 2755 Appropriations and Revenues All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for borough purposes all revenue and emoluments arising from such forests shall be paid into the borough treasury to be used for general borough purposes

Section 2756 Use of Forests Municipal forests may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration as municipal forests and rules adopted by the council of the borough not inconsistent with law or the regulations of the department

Section 2757 Ordinance of Sale Whenever the council of any borough deems it expedient to [alienate] sell or lease any municipal forest or part thereof or products therefrom it shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage] No ordinance for the sale or lease of a municipal forest or part thereof shall be effective in legalizing such [alienation] sale or lease until it has been approved by a majority vote of the people at the next ensuing general municipal or primary election

Section 88 Article XXVIII and Sections 2801 to 2817 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXVIII

Burial Grounds

Section 2801 Powers of Borough Boroughs may prohibit within their limits or within any described territory within such limits the burial or interment of deceased persons and may regulate the depth of graves

Section 2802 Management by Commission Transfer from Borough to Company When the title and management of any burial ground is vested in a borough the council of such borough may in its discretion vest the care management and operation of such burial ground in a commission of three citizens to be appointed by the borough council such care management and operation and the terms of the commissioners to be as provided in the ordinance of the council [upon] Upon petition of ten lot owners in such burial ground the council may in its discretion transfer such burial ground and the management thereof to an incorporated cemetery company in the manner hereinafter provided

Section 2803 Vesting Title Upon the presentation to council of such petition the council may pass an ordinance declaring that upon the acceptance of the provisions of such ordinance by the incorporated cemetery company filed with the borough secretary the title and control of such burial ground shall vest in such incorporated cemetery companies

Section 2804 [Acceptance of Corporation The secretary of the borough shall record the acceptance of any such

incorporated cemetery company in the ordinance book of the borough and a Recording of Ordinance and Acceptance A copy of the ordinance and the acceptance thereof certified by the burgess and secretary of the borough shall be recorded in the office of the recorder of deeds of the county

Section 2805 Orders of Court As to Neglected Cemeteries Authority is vested in the court of quarter sessions to make such orders for the regulation of burial grounds situated in and adjacent to boroughs as the public good shall require and when any burial ground shall become so neglected as in the opinion of the court to become a public nuisance the court may direct the removal of the dead therefrom by the borough authorities to some other burial ground

Section 2806 Transfer from Company to Borough Upon the petition of any incorporated cemetery company and a majority of the taxables of any borough the court of quarter sessions may authorize the transfer of any cemetery to the authorities of any borough in which such cemetery may be located or be adjacent thereto

Section 2807 Powers of Boroughs Such transfer shall be made without cost to the borough and upon being made the borough authorities shall exercise the powers and privileges of such incorporated company and may purchase lands within or beyond the borough limits not to exceed thirty acres for the extension of such cemetery and may raise the means to pay for the same by the sale of lots or otherwise but in no event by taxation they may lay out lots so purchased and alter the original plot of such cemetery and may dispose of such grounds in the same manner as such incorporated company could have done

Section 2808 Deeds to Lots A deed for any lot made by the burgess shall be of the same validity as the deeds of such incorporated cemetery company and the burgess is authorized to make deeds to those who theretofore purchased lots but have not been furnished with deeds by the cemetery company

Section 2809 Removing Bodies to Alter Plots In altering the plot of any such cemetery the bodies may be removed and reinterred in a suitable place but without cost to surviving relatives [or friends]

Section 2810 Removal of Bodies to Other Cemeteries Whenever any burial ground privately owned and in charge of no person [or persons] or any burial ground in charge of any religious society or church [or in charge of no one] has ceased to be used for interments or has become so neglected as to become a public nuisance or when such [cemetery] burial ground hinders the improvements and progressive interests of any borough or is desired by the borough for any free public library building or for any other public purpose the court of quarter sessions of the county upon petition of the managers of such [cemetery] burial ground or upon the petition of fifty residents in the vicinity in case such [cemetery] burial ground is not in charge of anyone setting forth that the improvements and progressive interests of such boroughs are hampered and the welfare of such borough is injured or upon the petition of such borough setting forth that such [cemetery] burial ground is desired by the borough for the erection thereon of a free public library building or for use as recreation [centers or municipal playgrounds] places or the opening laying out or extension through said land of any street [or highway] or for any other public purpose and after three weeks of advertisement may direct the removal of the remains of the dead from such burial ground

Section 2811 Applications for Removal No application as provided in the preceding section shall be made by the managers of any cemetery in charge of any society or church except in pursuance of the wishes of a majority of the members of such society or church expressed at a meeting held for that purpose after two weeks' public notice

Section 2812 Removals How Made Such removal shall be made by the managers of such cemetery or by the bor-

ough when such cemetery is in charge of no one in a careful manner at the expense of the party making such removal to such other burial ground as may be selected or if so desired by relatives or friends to some cemetery in the immediate vicinity

Section 2813 Notice of Removal The parties making such removal shall publish for two successive weeks in two daily or weekly newspapers of the borough or [county] circulating in the borough a notice declaring their intention to remove such remains

Section 2814 Removal by Relatives and Friends Relatives and friends of such dead may remove such remains at any time during such proceedings at their own expense before removal by the managers

Section 2815 Care in Removal All bodies when so removed shall be placed in separate caskets and graves and the markers placed by the remains of such bodies shall be taken by the person authorized to make such removal and placed as near as can be in the same relative position as before removal

Section 2816 Right to Use Property from which Bodies Removed After the removal of all dead bodies from such burial grounds the said land shall cease to be a cemetery or burial ground for all and any purpose whatsoever and may be acquired by the municipality or school district thereof as other lands are acquired for municipal or school purposes

Section 2817 Purchase of Plots for Burial of Deceased Service Men Any borough may purchase plots of ground in any cemetery or burial ground within its limits for the interment of such deceased [service men] members of the armed forces as have heretofore died or shall hereafter die within such borough or shall die beyond such borough and shall have a legal residence within such borough at the time of their death and whose bodies are entitled to be buried by the county under the provisions of [the act approved the tenth day of May one thousand nine hundred and twenty-one (P. L. 473) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" or any reenactment thereof] existing law Such plots of ground shall be paid for out of the treasury of such borough

Section 89 Article XXIX and Sections 2901 2905 2910 2912 2915 2920 2921 2922 and 2923 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXIX

Licenses and License Fees

(a) Auctioneers

Section 2901 Boroughs may regulate and license persons and firms engaged in the business of auctioneering within the limits of any such borough and fix the amount to be paid for such license Such license shall be in addition to all other licenses required by law The provisions of this section shall not apply for a space of three months to persons or firms regularly engaged in business in boroughs who may desire to reduce their stock or retire from business

(b) Foreign Dealers

Section 2905 Boroughs may license foreign dealers in merchandise or their agents having no permanent place of business in such boroughs but temporarily engaged in selling merchandise either by wholesale or by retail Such license shall not exceed the amount imposed on resident merchants engaged in like business The provisions of this section shall not apply to sales by sample

(c) Transient Retail Merchants

Section 2910 Licensing Transient Retail Business Every borough shall have power by ordinance to regulate and

license each and every transient retail business within such borough for the sale of goods wares [and] or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient retail business and to enforce such ordinances by penalties not exceeding three hundred dollars [and] or by other appropriate means The amount of any such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Nothing contained in this act shall be construed to apply (1) to farmers selling their own produce (2) to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose or (3) to any manufacturer or producer in the sale of bread and bakery products meat and meat products or milk and milk products

Section 2912 Commonwealth Licenses Saved Nothing contained in [the preceding sections] section 2910 shall be construed to relieve any person partnership or corporation from the duty of taking out a license or from the payment of any license tax imposed or authorized by any other statute of this Commonwealth

(d) Vehicles

Section 2915 License of Vehicles as Carriers Boroughs may enact ordinances establishing reasonable rates of license fees on all vehicles used in carrying persons or property for pay and may regulate the operation [and compensation] of such vehicles within the limits of such boroughs [or between any such borough or other points]

(e) Restrictions

Section 2920 Farmers It shall be unlawful for any borough to levy or collect any license fee from any person who sells in or about the streets of any borough vegetables or animal products raised on his or her own land

Section 2921 Persons Taking Orders It shall be unlawful for any borough to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or mercantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 2922 Equality of Residents and Non-Residents It shall be unlawful for any borough to impose by ordinance or exact or collect under the provisions of any ordinance heretofore or hereafter enacted any license tax or fee upon or from any manufacturer or the agent representative or employe of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or dealer or the agent representative or employe of any manufacturer who is a non-resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured without the Commonwealth

Section 2923 Insurance Business It shall be unlawful for any borough to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the laws of the Commonwealth

Section 90 Article XXX and Sections 3001 to 3006 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXX

Real Estate Registry

Section 3001 Real Estate Registry Established For the purpose of procuring accurate information in reference to the ownership of real estate the council of each borough may provide by ordinance for a registry thereof

Section 3002 Duties of Borough Secretary The secretary of [such] any borough in which [such] a registry shall be established shall under the direction of the council cause to be made all necessary books maps and plans as will show the situation and dimensions of each property thereon which books maps or plans shall be so prepared as to show the location and the name of the owner or owners thereof with blank spaces for the name of the owner of each lot and with provisions for the names of future owners and the dates of future transfers of title

Section 3003 Access to Public Records For the purpose of establishing such registry the secretary shall have access without charge to any public records wherein the necessary information may be obtainable and may also cause a search to be made in other places for any muniments or evidences of title not reported to him as herein provided and requisite for the completion of such books maps or plans

Section 3004 Keeping of Records [Said] The registry books maps and plans shall be carefully preserved and shall be so kept by additions from time to time as to show the ownership of every lot or piece of real estate or subdivision thereof within the limits of [such] the borough with the succeeding transmissions of title from the time of the commencement of such plans but nothing contained therein shall at any time invalidate any municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 3005 Duties of Owners of Real Estate It shall be the duty of all owners of real estate within the limits of [such] the borough within one month after the date of the approval of any ordinance establishing such registry and of every subsequent purchaser devisee or person within one month after acquiring title in any manner whatsoever to any real estate in such borough to furnish to the said secretary at his office descriptions of their respective properties upon blanks to be furnished by the borough and at the same time to present their conveyances to be stamped as evidence of the registry thereof

[Any person neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the borough as penalties of like amount are now recoverable]

Section 3006 [Deeds not to be Recorded Until Registered] Sheriff's Deeds Registry Required Before Recording The sheriffs of the respective counties in which any such borough is situated shall present for registry the deeds of all properties within such borough sold by them at judicial sales and the [prothonotaries and] recorders of deeds of such counties shall not admit for record any deed of any property in such borough bearing dates subsequent to the approval of an ordinance providing for the establishment of such registry unless the same shall first have been duly stamped as herein provided

Section 91 Article XXXI and Section 3101 to 3111 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXXI

Enforcement of Ordinances

Section 3101 Recovery of Fines Penalties and Costs Fines penalties and costs made payable by this act or imposed under [the] any ordinance of [any] the borough shall be recoverable before the burgess or any justice of the peace of the borough in the same manner as debts not exceeding three hundred dollars are recoverable and when so recovered shall be forthwith paid to the treasurer of the borough

Section 3102 Arrests by Policemen for Violation of Ordinances [Policemen of the several boroughs may without warrant and upon view arrest and commit for hearing any person guilty of a breach of the peace vagrancy riotous or disorderly conduct of drunkenness or that may be engaged in the commission of any unlawful act tending

to imperil the personal security or endanger the property of citizens or violating any of the ordinances of such borough for the violation of which a penalty is imposed] Persons [so] arrested by policemen for violation of any ordinance of the borough shall be entitled to give bail for their appearance according to the practice in cases of summary convictions

Section 3103 Commencement of Proceedings All proceedings for the violation of borough ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the burgess or justice of the peace before whom the proceedings are commenced but no warrant shall be issued except on the oath or affirmation specifying the ordinance for the violation of which the same is issued and all process may be directed to and be served by any policeman of the borough who may execute the same anywhere within the Commonwealth

Section 3104 Return of Warrants Warrants shall be returnable forthwith and upon such return like proceedings shall be had as in cases of summary conviction with the same right of appeal from any final judgment

Section 3105 Arrests on View Complaints When any person is arrested on view a complaint on oath or affirmation shall be immediately made whereupon like proceedings shall be had as provided in the preceding section

Section 3106 Commitments Pending Hearings Any person arrested for the violation of a borough ordinance may be committed to the borough lockup pending a hearing or trial but in case there is no suitable lockup in which to detain prisoners the person arrested may be committed to the county jail

Section 3107 Commitments After Hearings Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed [to the borough lockup for a period not exceeding five days or] to the county jail or workhouse for a period not exceeding thirty days

Section 3108 Collection of Penalties No fine or penalty shall exceed one hundred dollars for any single violation of any ordinance In case the defendant has goods or property of any kind whatsoever out of which the judgment and costs can be collected by execution or other process the [plaintiff in the action] borough may elect to collect the judgment and costs by such proceedings

Section 3109 Commitment of Vagrants When any person shall have been arrested by authority of the burgess or justice of the peace of any borough charged with being a vagrant or tramp and having refused to pay the fine imposed for such offense the burgess or justice of the peace shall have authority to [commit such person to the lockup in such borough for a term not exceeding five days or] compel such person to work upon the public works or streets of the borough for a period of time not exceeding one day for each dollar of fine imposed

Section 3110 Appeals by Vagrants Any such defendant as provided in the preceding section may appeal to the court of quarter sessions upon entering into recognizance with at least one surety in double the amount of the fine and costs for his appearance in court and the offense shall be prosecuted in court as in the case of misdemeanors

Section 3111 Payments of Costs by Borough When a prisoner shall be committed to any county jail or [prison] workhouse either for the non-payment of a fine or penalty imposed for the violation of any borough ordinance or while awaiting a hearing upon any charge for the violation of any borough ordinance the costs of the proceedings and the expenses of maintaining such prisoner during his confinement shall be paid by the borough and the county shall not be liable [to the sheriff] for any maintenance or to any person for any costs in such proceedings

Section 92 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto a new article XXXII and Sections 3201 to 3214 inclusive as follows

Article XXXII

Board of Health

Section 3201 Establishment of Board of Health Health Officers The administration of the health laws in boroughs shall be enforced by a board of health or by a health officer or officers as the case may be appointed by the borough council

Where the borough council elects to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is prescribed for boards of health in boroughs All health officers whether appointed by boards of health or by the borough council shall have had some experience or training in public health work in accordance with rules and regulations established by the Advisory Health Board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the State Department of Health

Section 3202 Members of Board of Health Where the borough council decides to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board shall be appointed by the borough council At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall serve without compensation but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3203 Oaths of Members Secretary and Health Officer The members of the board shall severally take and subscribe to the oath prescribed for borough councilmen and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board The secretary and health officer shall receive such salary as may be fixed by the board and ratified by the borough council and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required of members of the board

Section 3204 Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board shall keep accurate accounts of the expenditures of the board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the council to the board and shall present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the borough council together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of month the cases of communicable disease reported to the board of health on the form provided for that purpose by such Department and shall also make an annual report to such Department and shall make such other reports and perform such other duties as the board may require

Section 3205 Powers and Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge

which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman

Section 3206 Powers of Board of Health The board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which the board shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house-drains wash-pipes soil-pipes and cesspools and to make all such other rules and regulations as shall be deemed necessary for the preservation of the public health The board shall also have power with the consent of council in case of a prevalence of any contagious or infectious diseases to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which they are invested by law and the power and authority relating to the public health conferred on the boroughs Such rules and regulations when approved by the borough council and burgess and when advertised in the same manner as ordinances shall have the force of ordinances of the borough and all penalties or punishment prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the borough in the same manner as penalties for violation of the ordinances of the borough and subject to the like limitations as to the amount thereof

Section 3207 Entry Upon Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 3208 Inspections Abatement of Nuisances The board of health may inspect house drains waste and soil-pipes cesspools water-closets slaughter-houses hog-pens stables stable-yards and any conditions or places whatsoever in the borough which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough is found by the board to be a nuisance or a menace to the health of the people of the borough it shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein the board shall thereupon issue a further written order to the health officer directing him to remove or abate the

same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be provided by ordinance of the borough.

Section 3209 Estimates of Expenditures Report It shall be the duty of the board of health or appointed health officer or officers to submit annually to the council before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and council shall then proceed to make such appropriations as may be deemed necessary. The board of health health officer or officers shall in the month of January of each year submit a report in writing to council of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough as may be necessary and council shall publish the same in their official journal.

Section 3210 Cooperation With Other Units. Any borough may cooperate with the county or with any city borough or township as well as with the State Department of Health in the administration and enforcement of health laws.

Section 3211 Powers of Secretary of Health Whenever in the opinion of the Secretary of Health conditions found by him to exist in any borough shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or if it be known to him that any borough is without an existing or efficient board of health he or his agents may enter and take full charge of and administer the health laws regulations and ordinances in such borough and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough and is ready able and willing to assume and carry into effect the duties imposed upon it by law.

Section 3212 Expenses of Board or Secretary of Health All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health or his agents in accordance with the provisions of this article shall be paid by the borough wherein such duties are performed in the same manner as other expenses of such borough are paid.

Section 3213 Failure to Pay Expenses Incurred by State Secretary Whenever expenses incurred by the Secretary of Health or his agents in the administration of health laws in any borough in accordance with the provisions of this article shall remain unpaid by said borough for a period over three months after a statement of such expense has been rendered by him to such borough and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough for the collection of such expense from the borough in the same manner as debts of like amount are collected by law. Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination.

Section 3214 Disposition of Collected Funds All expenses incurred by the Secretary of Health in the administration of health laws in any borough when paid by such borough or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health.

Section 93 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto a new Article XXXIII and Sections 3301 to 3310 inclusive as follows

Article XXXIII

Zoning

Section 3301 Grant of Power For the purpose of pro-

moting health safety morals or the general welfare councils of boroughs are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public streets.

Section 3302 Districts Procedure (a) For any or all said purposes the council may divide the borough into districts of such number shape and area as may be deemed best suited to carry out the purpose of this article. Within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land. All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district.

(b) The council shall provide by ordinance the manner in which the boundaries of such districts shall be determined and established and from time to time amended or changed. However no such boundary shall become effective until after public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in such borough.

Section 3303 Purpose In View Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air to prevent the overcrowding of land to avoid undue concentration of population to facilitate the adequate provision of transportation water sewage schools parks and other public requirements. Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability or particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the borough.

Section 3304 The council shall exercise the powers granted in Section 3301 hereby by ordinance which shall provide for effecting of its purposes and for the enforcement of the regulations and restrictions established therein by reasonable fines and by the instituting appropriate actions or proceedings at law or in equity. At least one week and not more than three weeks prior to the presentation of the proposed ordinance an information notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed ordinance may be examined shall be published in the manner provided by law for the publication of ordinances.

The provisions of the ordinance need not be advertised or recorded as in other cases. Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures may be supplied by reference to a standing building code approved by the Department of Internal Affairs or to parts thereof determined by the council or such provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the council or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid. Copies of the provisions of the ordinance thus adopted by

reference shall be made to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard building code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein.

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance.

Section 3305 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed. In case however of a protest against such change signed by the owners of twenty per cent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet therefrom or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of three-fourths of all the members of council.

Section 3306 Zoning Commission In order to avail itself of the powers conferred by this act the council shall appoint a commission of five citizens known as the Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report and such council shall not hold its public hearings or take action until it has received the final report of such commission. Where a borough Planning Commission already exists it may be appointed as the Zoning Commission.

Section 3307 Board of Adjustment The council may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter. Their successors shall be appointed on the expiration of their respective terms to serve three years. The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official action all of which shall be immediately filed in the office of the board and shall be a public record.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer of the borough affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the

record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and due cause shown.

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as in its opinion ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

Any person aggrieved by any decision of the board of adjustment or any taxpayer or any officer of the borough may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies.

Upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty (20) days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken. The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition. On or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary.

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe.

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of facts and conclusions of law. The court may reverse or affirm in whole or in part or may modify the decision appealed from as to it may appear just and proper.

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 3308 Remedies In case any building or structure is erected constructed reconstructed altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the proper local authorities of the borough in addition to other remedies may institute any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 3309 Certain Buildings of Public Utility Corporations Exempted This article shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations if upon petition of the corporation the Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 3310 Finances The council is empowered to appropriate out of the general borough fund such moneys otherwise unappropriated as it may deem fit to finance the work of the borough zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 94 Article XXXII and Section 3201 3205 3206 3207 3208 and 3210 of the Act of May 4 1927 (P L 519) are hereby reenacted revised and amended and renumbered as follows

Article [XXXII] XXXIV

Actions By and Against Boroughs

(a) Municipal Claims

Section [3201] 3401 Collection of Municipal Claims Boroughs may proceed for the recovery of municipal claims and taxes by lien or by action of assumpsit and jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars In all proceedings for the recovery of municipal claims at attorney's commission of five per centum may be included not to exceed twenty dollars

(b) Defenses by Taxpayers

Section [3205] 3405 Intervention by Taxpayers Any taxpayer of any borough may inquire into the validity of any judgment or defend the borough in any suits or judgment upon filing a petition with the court of common pleas of the county in which such suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the borough in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save the borough harmless from all costs that may accrue in such proceeding subsequent to the filing of such petition ~~WAC~~ such intervention shall have taken place such taxpayer shall be deemed a party to the record and no settlement or any suit or judgment wherein such intervention shall have taken place shall be made by the borough without notice to such intervening taxpayer and opportunity for him to be heard

Section [3206] 3406 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any borough and a right of appeal is given to such borough and for ten days immediately after the rendition of such judgment the borough officials neglect to perfect such appeal any taxpayer of such borough may take an appeal in behalf of the borough from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section [3207] 3407 Affidavit by Taxpayer Costs In taking the appeal the taxpayer shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace [or alderman] and all costs in the court of common pleas

Section [3208] 3408 Taxpayer to be Party to Suit Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party of the suit and shall have the right to defend such borough therein

(c) Liability in Bond Transfers

Section [3210] 3410 All certificates of loans issued by a borough shall be transferable by the legal owner thereof without any liability on the part of the transfer agents of the borough to recognize or see to the execution of any trust whether expressed implied or constructive to which such loans may be subject unless such transfer agents of the borough shall have previously received notice in writing signed by or on behalf of the person for whom such loans appear by the certificate thereof to be held in trust that the proposed transfer would be a violation of such trust

Section 95 Article XXXIII of said Act of May 4 1927 (P L 519) is hereby renumbered Article XXXV and is hereby reenacted in part and revised and amended to read as follows

Article [XXXIII] XXXV

Acts of Assembly Repealed Saving Clause

Section [3301] 3501 Nothing contained in this amendment revision and reenactment shall be construed to revive any act or part of an act heretofore repealed The following additional Acts and Parts of Acts of Assembly are Hereby Repealed as particularly set forth

The act approved the first day of May one thousand nine hundred thirteen (P L 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" so far as it relates to boroughs

The act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 471) entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president of the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid" so far as it relates to boroughs

The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1083) entitled "An act requiring all persons contracting with the Commonwealth or any department or officer thereof or any municipal corporation division or subdivision of the Commonwealth to accept the provisions of the State Workmen's Compensation Act and to insure the said contractor's liability thereunder or secure an exemption from insurance in accordance with the terms of the said act in respect to such contract" so far as it relates to boroughs

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P L 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of

courts and open spaces the density of population and the use of land" so far as it relates to boroughs

The act approved the twentieth day of April one thousand nine hundred twenty-seven (P L 350) entitled "An act making it unlawful for any architect or engineer in the employ of the Commonwealth or of any county municipality borough township or other subdivision of the Commonwealth and engaged in the preparation of plans specifications or estimates to bid on any public work or to be interested in contracts for public work making it unlawful for the officers of the Commonwealth or any county municipality borough township or other subdivision of the Commonwealth to award the contract to any such architect or engineer in the employ of the Commonwealth and fixing penalties" so far as it relates to boroughs

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P L 992) entitled "An act prohibiting cities boroughs towns and townships to increase or diminish the salary compensation or emoluments of elected officers after their election" so far as it relates to boroughs

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts Vocational School Districts and Institution districts to make contracts of life health Hospitalization Medical Services and accident policies for the benefit of employees thereof and contracts for pensions for such employees and providing for the payment of the cost thereof" so far as it relates to boroughs

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P L 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work" so far as it relates to boroughs

The act approved the first day of May one thousand nine hundred thirty-five (P L 124) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to boroughs

The act approved the twenty-first day of June one thousand nine hundred thirty-five (P L 399) entitled "An act empowering boroughs to refund liens and bonds secured by liens on waterworks and the appurtenances thereto and imposing no municipal liability existing or created at the time of the original acquisition of such water-works by the issue of refunding bonds secured solely by liens and imposing no municipal liability" absolutely

The Act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 731 No. 290) entitled "An act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (P L 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by requiring borough fiscal records to be open to inspection" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (P L 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to boroughs

The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P L 98) entitled "An act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to boroughs

The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P L 620) entitled "An act requiring the consent of the electors of a township of the first class when such township or any part thereof is to be annexed to a contiguous borough or city" so far as it relates to boroughs

The act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" so far as it relates to annexations to boroughs

The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P L 641) entitled "An act providing a method whereby boroughs may collect over a period of years from owners of property benefited thereby assessments for permanent paving and improvement of streets alleys sidewalks or other highways or parts thereof prescribing the effect of filing municipal claims for such assessments the interest to be charged thereon the length of time the lien thereof shall run and the procedure for collection upon default in such payments" absolutely

The act approved the fifth day of June one thousand nine hundred forty-one (P L 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to boroughs

The act approved the seventh day of May one thousand nine hundred forty-three (P. L. 252) entitled "An act to further amend section 601 602 and 605 of and to add sections 601.1 601.2 and 601.3 to the Act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on boroughs councils providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes" absolutely

The act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 684) entitled "An act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' further providing for the election of councilmen when the terms of all encumbrants expire in the same year" absolutely

The act approved the first day of June one thousand nine hundred forty (P. L. 1232) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to boroughs

All other acts or parts of acts of Assembly supplied by inconsistent with or appertaining to the subject matter covered by this act are hereby repealed It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of boroughs except

as to the several matters enumerated in section one hundred and two of article one of this act

But nothing contained in this act shall be construed to repeal any local or special laws or to repeal the provisions of the Public [Service Company] Utility Law or any law relating to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries or the provisions of any law the enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board

And said bill having been read at length the third time,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. KLEIN. Mr. President and gentlemen of the Senate, House Bill 1216 represents a re-enactment and revision of the Borough Code of 1927. It was prepared under the supervision of the Local Government Commission, pursuant to legislative direction.

I have studied House Bill 1216 with a great deal of interest and I have followed that bill as it went through its various stages in the House of Representatives, and as referred to the Committee on Local Government in the Senate.

Generally speaking, Mr. President, I can say that House Bill 1216 is a very good bill and, if enacted into legislation will be one of the best pieces of legislation adopted by this session of the General Assembly.

However, Mr. President and gentlemen of the Senate, I call your attention to Section 1301, Page 232, and call your attention to the fact that in this so-called new borough code no provision has been made for any increase in taxation under the direction of the borough councils. The last limitation on the tax millage in the boroughs in this Commonwealth was set in 1927. We are all familiar with the fact that boroughs, like other municipalities, are experiencing a great deal of difficulty with their financial structure; costs of materials and wages have increased to tremendous proportions, and boroughs now find themselves in the position where they must curtail serious and important services, services that people should rightfully have, and unless these councils are given the right to provide for some increase in their tax structure these most essential services will have to be curtailed and in some cases cut out entirely.

I was opposed to this section when the Committee on Local Government met, and so indicated. I want to call your attention to the fact that the House of Representatives some time ago passed unanimously a bill which would give to borough councils the right to increase their millage from their present fifteen mill rate to a twenty mill rate.

I say this, Mr. President and gentlemen of the Senate, that I can see no more logic for requesting the Courts of Quarter Sessions to permit borough councils to increase their millage, than I can see in this General Assembly, or any other General Assembly, asking the Supreme Court of this Commonwealth to tell us what we should tax and what we should not tax and what our tax structure should be.

I think, once the citizens of any borough have elected

to office councilmen, those councilmen ought to have the right to determine within reasonable limitations what their tax structure should be, because they certainly are more familiar with their local problems than are the courts, and I think throwing into the courts the question of an increase in millage makes a political football of the financial structure of all boroughs.

So, Mr. President, in all earnestness and in all sincerity, I have some minor amendments to offer. My amendments are in no way political and I know that these amendments, if adopted, will make a better bill, a bill that is now good. So, Mr. President, with the sole purpose of improving a good bill, I ask unanimous consent to offer amendments to House Bill 1216.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KLEIN. Mr. President, with the sole purpose of improving a good bill, I ask unanimous consent to offer amendments to House Bill No. 1216.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 41 (Sec. 1301), page 232, line 5, by striking out all of said line and inserting in lieu thereof: "[for general boroughs purposes any tax not exceeding fifteen (15)] any tax not exceeding seventeen"; amend Sec. 41 (Sec. 1301), page 232, line 12, by striking out the word "five" and inserting in lieu thereof: "three"

On the question,

Will the Senate agree to the amendments?

Mr. TALLMAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. TALLMAN and were as follows, viz:

YEAS—15

Barr,	Jaspan,	Margie,	Stiefel,
Dent,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,
Holland,	Leader,	Ruth,	

NAYS—34

Becker,	Farrell,	Mallery,	Wagner,
Berger,	Frazier,	Scarlett,	Walker,
Blass,	Geltz,	Snowden,	Watson,
Carr,	Hare,	Stevenson,	Wilson,
Chapman,	Homsher,	Tallman,	Wolfe,
Crider,	Kephart,	Taylor,	Wood, L. H.,
Crowe,	Letzler,	Tyler,	Wood, T. N.,
DiSilvestro,	Lord,	Wade,	Heyburn,
Doehla,	Mahany,		Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahausen,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,

Dent, DISilvestro, Doehla, Farrell, Frazier,	Lane, Leader, Letzler, Lord, Mahany,	Stiefel, Tallman, Tarr, Taylor,	Wood, T. N., Woodring, Heyburn, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operators approaching inaccessible workings

Mr. CARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CARR, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 636, entitled:

An Act to further amend section eight of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings, specifications, or other data.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine

controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation; and prescribing penalties," fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals, for a survey of the need for additional hospital facilities, and for the development and administration of a hospital construction program which will, in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money, establishing methods of administration and control, providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder, authorizing the acceptance and expenditure of Federal funds in accordance with such requirements.

Mr. HARE. Mr. President, this bill was jointly cosponsored by those two good friends, the gentleman from Lycoming, Senator Snowden, and the gentleman from Allegheny, Senator Barr.

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HALUSKA, from the Committee on Mines and Mining, reported as committed, House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected with parts of an abandoned portion of a mine in which therewith" requiring weekly examinations of all access mine explosive gases have at any time been found

THIRD READING CALENDAR

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1261, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Mahany,	Tyler,
Becker,	Geitz,	Mallery,	Wade,
Berger,	Haluska,	Margie,	Wagner,
Blass,	Hare,	Rosenfeld,	Walker,
Carr,	Holland,	Ruth,	Watson,
Chapman,	Homsher,	Scarlett,	Wilson,
Crider,	Jaspan,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer

NAYS—2

Kephart, Rahausen,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BARR. Mr. President, due to the lateness of the hour, I ask unanimous consent that House Bill No. 1273, on third reading, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings with the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to

construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the condition on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause one of section two hundred three sections two hundred seven two hundred ten seven hundred nine and eight hundred ten of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" are hereby amended to read as follows

Section 203 Articles of Incorporation Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least three of them before any officer within or without this Commonwealth authorized to take acknowledgments and shall set forth in the English language

(1) The name of the proposed corporation unless the name is in a foreign language in which case it shall be set forth in English letters or characters and a statement that such name has been registered with the Department

of State within six months of the date of the application for a charter

Section 207 Court to Decree or Refuse Incorporation On the day specified in the advertisement or as soon thereafter as the matter may be heard the incorporators shall present an application for a charter to the court and shall present to the court the articles of incorporation proof of the advertisement required by the preceding section and the certificate of the Department of State pertaining to the registration of the corporate name The court shall consider the application It may hear evidence if any there be on behalf of the applicants and against the application or it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall find the articles to be in proper form and within the provisions of this act and the purpose or purposes given in the articles to be lawful and not injurious to the community and that the name is presently available for corporate use as evidenced by certificate from the Secretary of the Commonwealth issued within six months the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the corporation shall come into existence for the purpose or purposes and upon the terms stated therein otherwise the court shall refuse the application for a charter

Section 210 Prothonotary to Make Monthly Report to Department of State The prothonotary of each court of common pleas shall on or before the tenth day of each month report to the Department of State the name the address of the registered office and the date of incorporation of each nonprofit corporation incorporated by the court during the preceding month and for so doing shall receive a fee of one dollar (\$1.00) from each corporation which shall be taxed as part of the prothonotary's filing fee The Department of State shall note after the registered name of each corporation the date of its incorporation If any incorporators shall have registered a name with the department and the corporation is not formed within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a corporate name shall have expired the incorporators shall be required to make application for another registration of such corporate name in the manner provided for the original registration of such name

Section 709 Prothonotary to Make Monthly Report to Department of State The prothonotary in making the report to the Department of State heretofore required by his act shall include in such report the old and new name and the address of the registered office of every corporation which during the preceding month had its name changed by proceedings under this article For this service the prothonotary shall receive a fee of one dollar (\$1.00) from each corporation The Department of State shall cancel the registration of the discarded corporate names and shall note after each newly acquired name the date it was acquired by proceedings under this article If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this article within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a new corporate name shall have expired the corporation shall be required to make application for another registration of such new corporate name in the manner provided for the original registration of such new corporate name

Section 810 Prothonotary to Make Monthly Report to Department of State The prothonotary of the court in making the report to the Department of State heretofore required by this act shall include in such report the names and registered offices of the constituent corporations involved in merger or consolidation proceedings consum-

mated during the preceding month and the names of the surviving or new corporations resulting from such proceedings For this service the prothonotary shall receive a fee of one dollar (\$1.00) from the petitioners Where a constituent corporations is merged into a surviving corporation or where the constituent corporations are consolidated into a new corporation the Department of State shall cancel the registration of the names of the non-surviving corporations If any name registered with the department under the provisions of this article is not adopted by proceedings under this article within six months from the date of such registration such registration shall automatically expire and be void and the department shall cancel the registration of such name Whenever the registration of a corporate name under the provisions of this article shall have expired the constituent corporations shall be required to make joint application for another registration of such corporate name in the manner provided for the original registration of such corporate name

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mallery,	Tyler,
Becker,	Haluska,	Margie,	Wade,
Berger,	Hare,	Rahauer,	Wagner,
Blass,	Holland,	Rosenfeld,	Walker,
Carr,	Homsher,	Ruth,	Watson,
Chapman,	Jaspan,	Scarlett,	Wilson,
Crider,	Kephart,	Snowden,	Wolfe,
Crowe,	Klein,	Stevenson,	Wood, L. H.,
Dent,	Lane,	Stiefel,	Wood, T. N.,
DiSilvestro,	Leader,	Tallman,	Woodring,
Doehla,	Letzler,	Tarr,	Heyburn,
Farrell,	Lord,	Taylor,	Presiding Officer
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1332, as follows:

An Act to establish in cities of the first class a house of detention for delinquent dependent and neglected children up to eighteen years of age providing for the management and the maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 House of Detention of Juvenile Offenders In every city of the first class there shall be provided in the way hereinafter mentioned a house of detention for the reception of untried juvenile offenders and dependent and neglected children up to the age of eighteen years who may be in the custody of an officer appointed or elected under any law of this Commonwealth and whose cases may be under judicial investigation under any laws of this Commonwealth pending such investigation and final determination of such case or cases

Section 2 Board of Managers Appointment Term of Office Compensation Removal A house of detention established under the provisions of this act shall be provided and managed by a board of managers consisting of five members two of whom shall be women said board of man-

agers to be appointed by the judges of the Municipal Court of Philadelphia County having jurisdiction in the said city. Such board of managers shall serve without compensation and shall hold office for two years and until their successors are appointed subject to removal by the judges of the Municipal Court of Philadelphia.

Section 3 Duties of Board of Managers The duties of the board of managers shall be to provide a house purchased by the city for the reception of children to be placed therein under the provisions of this act to alter said house for such purpose to keep the same in repair and generally to fit and furnish said house so that the same may be suitable for the care of the children intended to be received and especially to arrange such house so that a separate room (so far as possible) may be provided for the accommodation of each child who may be received therein and generally to supervise and oversee the management of said house.

Section 4 Payment of Expenses Expenses incurred in the performance of the duties of the board of managers shall be itemized and presented with proper vouchers to the county commissioners of the county containing said houses of detention for which said board of managers may be appointed who shall be required to pay the said expenses.

Section 5 Appointment of Caretakers Compensation it shall be the duty of the board of managers to appoint a man and woman to take charge of the house and children committed to such of detention together with other adequate personnel and generally to maintain order and discipline among the children so committed into their keeping. The salary or compensation to be paid to said caretakers and the personnel of the said house of detention shall be fixed by the board of managers and certified to the said county commissioners as one of the expenses of maintaining such houses of detention as are established by this act.

Section 6 Alternative Placement of Delinquents It shall not be essential to commit a juvenile offender a dependent or a neglected child to the house of detention established by this act if in the judgement of the probation officer now or hereafter to be appointed under any present existing law or laws of this Commonwealth it should be deemed expedient to otherwise dispose of said child.

Section 7 Payment of Costs of Maintenance and Construction The cost and expenses of construction and maintaining the houses of detention by this act established shall be provided by the city containing the said house of detention.

Section 8 Repeals The act approved the second day of July one thousand nine hundred one (P. L. 601) entitled "An act to establish in cities of the first and second class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof" insofar as it applies to cities of the first class is hereby repealed.

All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,

Geltz,
Haluska,
Hare,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,

Mallery,
Marge,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Willson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

Doehla,
Farrell,
Frazier,

Letzler,
Lord,
Mahany,

Tarr,
Taylor,

Heyburn,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. TALLMAN. Mr. President, in order that there may be a meeting of the Committee on Appropriations in the committee room, I move that the Senate do now take a recess for ten minutes.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. JASPAN, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 429, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution, an educational program in industrial and labor relations; stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties; and making an appropriation therefor.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1322, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman

Recreational Park, Mead Township, Warren County, for constructing buildings and improvements and maintenance thereof.

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DiSILVESTRO, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 60, entitled:

An Act making an appropriation to the Philadelphia Committee for Prevention of Blindness, Inc., for the purpose of maintaining services for the control of causes of blindness.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act relating to the lien of mortgages, defeasible deeds in the nature of mortgages, verdicts and amicable and adverse judgments; imposing duties on certain county officials; and protecting the lien of mortgages given by purchasers to sellers, if recorded within thirty days from the date of such mortgage.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 77, on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such

facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases

be recommitted to the Committee on Corporations.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 83, on second reading, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operations of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," 27 providing for the compulsory three year revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing certain acts inconsistent herewith

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 2, page 2, line 8, by striking out after the word "be" and before the word "and" the following: "[twenty-six thousand five hundred dollars (\$26,500)]," and inserting in lieu thereof the following: "twenty-three thousand five hundred dollars (\$23,500);" Amend Section 2, page 2, line 10, by striking out the entire line and inserting in lieu thereof the following: "twenty-three thousand dollars (\$23,000)."

There were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 3, page 2, line 12, by striking out after the word "be" and before the word "and" the following: "[twenty-four thousand five hundred dollars (\$24,500)]" and inserting in lieu thereof the following: "twenty-one thousand five hundred dollars (\$21,500);" Amend Section 3, page 2, line 14, by striking out the entire line and inserting in lieu thereof the following: "twenty-one thousand dollars (\$21,000)."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 4, page 2, line 16, by striking out at the end of the line after the word "be" the following: "[nineteen];" Amend Section 4, page 2, line 17, by striking out the entire line and inserting in lieu thereof the following: "sixteen thousand five hundred dollars (\$16,500);" Amend Section 4, page 2, line 19, by striking out at the end of the line before the word "districts" the following: "[having a population of]"; Amend Section 4, page 2, line 20, by striking out the entire line; Amend Section 4, page 3, lines 1 to 12 inclusive by striking out these lines and inserting in lieu thereof the following: "exclusive of the judges of the courts of common pleas of the first, fifth and twelfth judicial districts and of the judges of the orphans' court of the twelfth judicial district shall be increased by two thousand dollars."

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 5, page 3, line 15, by striking out to the end of the line after the word "receive" the following:

"[four thousand dollars (\$4,000) additional annually for]" and inserting in lieu thereof the following: "eighteen thousand dollars (\$18,000);" Amend Section 5, page 3, line 16, by striking out the entire line and inserting in lieu thereof the following: "annually."

They were agreed to.

The section was agreed to as amended.

The sixth section was read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 7, page 4, line 2, by striking out to the end of the line after the word "be" the following: "[fourteen thousand dollars]" and inserting in lieu thereof the following: "increased"; Amend Section 7, page 4, line 3, by striking out at the beginning of the line before the word "and" the following: "[\$14,000]" and inserting in lieu thereof the following: "(\$2,000);" Amend Section 7, page 4, line 4, by striking out to the end of the line after the word "be" the following: "[thirteen thousand five hundred dollars (\$13,500)]" and inserting in lieu thereof the following: "increased two thousand dollars (\$2,000)."

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Section 8, page 4, line 6, by striking out to the end of the line after the word "be" the following: "[fourteen thousand dollars (\$14,000)]" and inserting in lieu thereof the following: "increased two thousand dollars (\$2,000);" Amend Section 8, page 4, line 8, by striking out the entire line and inserting in lieu thereof the following: "increased two thousand dollars (\$2,000)."

They were agreed to.

The section was agreed to as amended.

The ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania accumulated up to May 31 1945 to cover the deficiency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 247, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 264, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 345, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 447, entitled:

An Act to further amend section two hundred thirteen and subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the catching possession and sale of bait fish and raising the license fee and increasing the length of time covered by tourist fishing licenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 463, entitled:

An Act to amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TYLER offered the following amendments:

Amend sec. 1 (Sec. 202), page 5, lines 8 and 9, by striking out the words "five hundred dollars (\$7500)" and inserting in lieu thereof "two hundred fifty dollars (\$7250);" Amend sec. 1 (Sec. 202), page 5, lines 11 and 12, by striking out the words "seven thousand dollars (\$7000)" and inserting in lieu thereof "six thousand seven hundred fifty dollars (\$6750)".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 502, entitled:

An Act to further amend sections four and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further regulating the eligibility requirements for examinations and the proceedings to revoke or suspend licenses and certificates

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the words "Sections four and thirteen of the" and inserting in lieu thereof: "The"; Amend Sec. 1, page 2, lines 9, 10 and 11, by striking out the words "as amended by the act approved the" in line 9, and both of lines 10 and 11, and inserting in lieu thereof: "is hereby amended by adding immediately following section two thereof a new section to read as follows: "Section 2.1: Establishment of Beauty Shop Without Certain Experience Prohibited. It shall be unlawful for any person to establish, operate or maintain a beauty shop for compensation unless he or she shall have had twelve months' experience as a licensed operator under the provisions of this act. Nothing contained in this section, however, shall apply to or affect any person who upon the effective date of this amendment operates or maintains a beauty shop;" Amend Bill, page 2, by inserting between lines 11 and 12 the following: "Section 2. Section four of said act as amended by the act, approved the third day of May, one thousand nine hundred forty-five (P. L. 412), is hereby further amended to read as follows: Amend Sec. 1 (Sec. 4), page 3, line 16, by inserting after the word "operator" the following: "or five years' experience as an operator in a beauty shop;" Amend Bill, page 3, by inserting between lines 16 and 17, the following: "Section 3. Section eight of said act is hereby amended to read as follows: Section 8 Practice in Beauty Shops Only.—It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop: Provided, That [a registered operator may furnish] any registered operator who has heretofore furnished beauty culture treatments to persons in residences of such persons by appointment, may continue to do so without being sponsored by a duly li-

censed beauty shop, but any registered operator not furnishing such home treatments before the effective date of this amendment shall not thereafter furnish beauty culture treatments to persons in residences of such persons by appointment unless sponsored by a duly licensed beauty shop;" "Section 4. Section thirteen and subsection (a) of section twenty of said act as amended by the act, approved the third day of May, one thousand nine hundred forty-five (P. L. 412), are hereby further amended to read as follows:" Amend Bill, page 4, by inserting after line 18, the following: "Section 20. Penalties. (a) Any person who shall practice or teach beauty culture or act in any capacity wherein registration is required without complying with this act shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars (\$50.00) and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days, and any person who shall establish, operate or maintain a beauty shop in violation of the provisions of this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25.00). Each day of violation shall be construed as a separate offense."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. T. NEWELL WOOD offered the following amendments:

Amend title, page 1, line 1 of title, by striking out the words "sections four and thirteen of"; Amend title, page 2, line 1 of title, by inserting after the word "by" the following: "requiring certain experience as an operator before opening a beauty shop;" Amend title, page 2, line 2 of title, by inserting after the word "examinations" the following: "the right to give home treatments;" Amend title, page 2, line 3 of title, by inserting after the word "certificates" the following: "and prescribing additional penalties."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be ad-

mitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in certain out-patient and dispensary service.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625, entitled:

An Act to further amend section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salaries of the chairman and members of the Pennsylvania Public Utility Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 635, entitled:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other

purposes" by further providing for the levy and collection of taxes in certain court proceedings.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. T. NEWELL WOOD offered the following amendments:

Amend sec. 1 (sec. 4320), page 2, line 10, by striking out the words "Cities [may]" and inserting in lieu thereof "[Cities may] Except as hereinafter provided, cities"; amend sec. 1 (sec. 4320), page 2, line 14, by striking out the bracket after the word "which"; amend sec. 1 (sec.

4320), page 2, line 15, by striking out the words "The fund" and inserting in lieu thereof "fund. In any case where there is an existing organization or association for the benefit of fully paid firemen, constituting and having in charge the distribution of firemen's pension funds, no annuity contract shall be provided nor shall any firemen's pension funds be established under the provisions of this section, unless and until the members of such organization or association by a two-thirds vote elects to transfer said existing fund into the pension fund required to be established by this section; all pension funds established under the provisions of this section".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. T. NEWELL WOOD offered the following amendment:

Amend title, page 1, last line of title on said page, by inserting after the word "cities" the following: "except in certain cases".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. FRAZIER. Mr. President, I desire to offer amendments at this time.

The Clerk read the amendments as follows:

Amend title, page 1, lines 1 to 8 of title, by striking out all of said lines and inserting in lieu thereof "To provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein; providing for its levy and collection; conferring and imposing powers and duties on the board of public education, receiver of school taxes and school treasurer in such districts and providing penalties";

Amend bill, page 2, lines 1 to 17 inclusive, by striking out all of said lines; Amend bill, page 3, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 4, lines 1 to 19 inclusive, by striking out all of said lines; Amend bill, page 5, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 6, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 7, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 8, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 9, lines 1 to 19 inclusive, by striking out all of said lines; Amend bill, page 10, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 11, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 12, lines 1 to 20 inclusive, by striking out all of said lines; Amend bill, page 13, lines 1 to 19 inclusive, by striking out all of said lines; Amend

sec. 16, page 14, lines 1 and 2, by striking out all of said lines and inserting in lieu thereof

"Section 1. Definitions.—The following words and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

(1) "Person" shall mean any individual, partnership, limited partnership, association or corporation. Whenever used in any clause prescribing or imposing a penalty, the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations, the officers thereof

(2) "Business" shall mean any enterprise, activity, profession, occupation or undertaking of any nature, involving, in the broadest sense, directly or indirectly, as principal, agent, factor or otherwise, the selling, leasing, loaning, renting, advancing, supplying or furnishing, or dealing in of goods, commodities, wares, merchandise, moneys, choses in action, or any other personal property of any kind or description, whether tangible or intangible, or of services of any kind or nature, conveniences, accommodations or entertainment, including inter alia, the conducting or operating of a hotel, an agency, a restaurant or establishment where food, drink or refreshments are furnished or served, a brokerage, money lending or discounting business, office or establishment, or a place of amusement, to persons engaged in other businesses or to the general public or to a limited or selected number thereof, either at wholesale or retail, conducted in a school district of the first class, except for the following: Any manufacturing business; any business conducted by a nonprofit corporation or association organized for religious charitable or educational purposes, and any hawking or peddling business licensed under any other law of this Commonwealth.

(3) "Broker" shall mean any stock broker, bill broker, note broker, loan broker, exchange broker, merchandise broker, factor, commission, merchant, real estate broker or agent, insurance broker or agent and pawnbroker.

(4) "Place of amusement" shall mean any place indoors or outdoors where the general public or a limited or selected number thereof may upon payment of an established price attend or engage in any amusement, entertainment, exhibition, contest, athletic event, recreation, including among other places, theaters, opera houses, motion picture houses, amusement parks, stadia, arenas, baseball or football parks or fields, skating rinks, circus or carnival tents or grounds, fair grounds, bowling alleys, billiard or pool rooms, shuffle board rooms, nine or ten pin alleys, riding academies, golf courses, bathing and swimming places, dance halls, tennis courts, archery rifle or shotgun ranges and other like places.

(5) "Tax year" shall mean the twelve month period corresponding to the fiscal year of the school district levying the tax.

(6) "Gross receipts" shall include both cash and credit transactions.

(7) "Collector" shall mean the receiver of school taxes or in a school district of the first class in which there is no such receiver of school taxes, the school treasurer.

Section 2 Authority to levy and Collect Tax; Use of Tax. For the year one thousand nine hundred forty-

eight and annually thereafter every school district of the first class shall levy and collect an annual business tax in the manner and at the rates hereinafter set forth. Such tax shall be in addition to any other tax every such school district is empowered to levy and collect under any existing law. The taxes and penalties collected under the provisions of this act shall be used by every such school district for general public school purposes.

Section 3 Imposition and Rate of Tax Every person engaging in any business in any school district of the first class shall pay an annual business tax at the rate herein set forth.

(1) Wholesale business at the rate of one-half ($\frac{1}{2}$) mill on each dollar of the annual gross receipts thereof.

(2) Retail business at the rate of one (1) mill on each dollar of the annual gross receipts thereof.

(3) Wholesale and retail business at the rate of one-half ($\frac{1}{2}$) mill on each dollar of the annual gross wholesale receipts and one (1) mill on each dollar of the annual gross retail receipts thereof.

Section 4 Computation of Annual Gross Receipts.

(a) Every person subject to the payment of the tax hereby imposed who has commenced his business at least one (1) full year prior to the beginning of any tax year shall compute his annual gross receipts upon the actual gross receipts received by him during the preceding calendar year.

(b) Every person subject to the payment of the tax hereby imposed who has commenced his business less than one (1) full year prior to the tax year one thousand nine hundred forty-eight for the tax year one thousand nine hundred forty-eight or who has commenced his business subsequent to the beginning of any tax year and the succeeding tax year, shall compute his annual gross receipts upon the actual gross receipts received by him during the first month of his engaging in such business multiplied by the number of months of the current tax year remaining or multiplied by twelve (12) for the first full tax year he engages in business as the case may be.

(c) Every person subject to the payment of the tax hereby imposed who engages in a business temporary, seasonal or itinerant, by its nature, shall compute his annual gross receipts upon the actual gross receipts received by him during such period.

Section 5. Returns. (a) Every return shall be made upon a form furnished by the collector. Every person making a return shall certify the correctness thereof by affidavit.

(b) Every person subject to the tax imposed by this act who has commenced his business at least one (1) full year prior to the beginning of any tax year shall on or before the first day of March one thousand nine hundred forty-eight and annually thereafter file with the collector a return setting forth his name, his business and business address and such other information as may be necessary in arriving at the actual gross receipts received by him during the preceding calendar year and the amount of the tax due.

(c) Every person subject to the tax imposed by this act who has commenced his business less than one (1) full year prior to the beginning of the tax year, one thousand nine hundred forty-eight shall on or before the first day of March, one thousand nine hundred forty-

eight file with the collector a return setting forth his name, his business, business address and such other information as may be necessary in arriving at the actual gross receipts received by him during his first month of business and the amount of the tax due.

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any tax year shall within forty (40) days from the date of commencing such business and on or before the first day of March of the succeeding tax year file a return with the collector setting forth his name, his business, and business address and such information as may be necessary in arriving at the actual gross receipts received, by him during his first month of business and the amount of the tax due.

(e) Every person subject to the payment of the tax imposed by this act who engages in a business temporary seasonal or itinerant by its nature shall within seven (7) days from the day he completes such business file a return with the collector setting forth his name, his business and business address and such information as may be necessary in arriving at the actual gross receipts received by him during such period and the amount of the tax due.

Section 6. Payment. At the time of filing the return, the person making the same shall pay the amount of tax shown as due thereon to the collector.

Section 7. Powers and Duties of Collector. (a) It shall be the duty of the collector to collect and receive the taxes fines and penalties imposed by this act for payment over to the school treasurer where such school treasurer is not the collector as in the case of other school taxes collected. It shall also be his duty to keep a record showing the amount received by him from each person paying the tax and the date of such receipt.

(b) The collector is hereby charged with the enforcement of the provisions of this act and is hereby empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act including provision for the re-examination and correction of returns and payments alleged or found to be incorrect or as to which an overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the collector shall have the right of appeal to the court of common pleas as in other cases provided.

(c) The collector is hereby authorized to examine the books, papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made, or if no return was made, to ascertain the tax imposed. Every such taxpayer or supposed taxpayer is hereby directed and required to give to the collector the means facilities and opportunity for such examinations and investigations as are hereby authorized. The collector is hereby authorized to examine any person connected with any business concerning any gross receipts which was or should have been returned for taxation and to this end may compel the production of books, papers and records and the attendance of all persons before him, whether as parties or witnesses whom he believes to have knowledge of such gross receipts.

Section 8. Suit on Collection; Penalty. (a) It shall be the duty of the collector to sue for the recovery of

all taxes due him not paid when due. Such suits shall be begun within sixty (60) days after such taxes become due.

(b) If for any reason the tax is not paid when due in each year, interest at the rate of six per centum (6%) per annum on the amount of said tax and an additional penalty of one per centum (1%) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected by the collector. Where suit is brought for the recovery of any such tax the person shall be liable for and it shall be the duty of the collector to collect in addition to the tax assessed against such person the costs of such collection and the interest and penalties herein imposed.

Section 9. Penalties. (a) Whoever wilfully makes any false or untrue statement on his return shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two thousand dollars (\$2,000) or to undergo imprisonment for not more than two (2) years or both.

(b) Whoever wilfully fails or refuses to appear before the collector in person with his books, records or accounts for examination when required under the provisions of this act to do so, or who wilfully refuses to permit inspection of the books, records or accounts of any business, in his custody or control, when the right to make such inspection by the collector is requested, shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or to undergo imprisonment for not more than six (6) months or both.

(c) Whoever wilfully fails or refuses to file a return required by this act, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000) or to undergo imprisonment for not more than one (1) year or both.

Section 10. Employees; Compensation. Upon the recommendation of the collector, the board of public education shall appoint and fix the salaries of such assistants and employes as may be necessary to aid such collector in the proper administration of this act.

Section 11. Saving Clause. (a) Nothing contained in this act shall be construed to empower any school district of the first class to levy and collect the taxes hereby imposed on any person or on any business or any portion of any business not within the taxing power of this Commonwealth under the Constitution of the United States.

(b) If the tax or any portion of the tax imposed upon any person or business or upon any portion of a business under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania, the decision of the court shall not affect or impair the right to impose such taxes or the validity of taxes so imposed upon other persons or businesses or portions thereof as herein provided. It is the intent of the General Assembly that the taxes so held to be unconstitutional were not to be imposed but that the remainder of said taxes imposed hereunder were to be imposed and collected.

Section 12. Repeal. All acts or parts of acts inconsistent herewith are hereby repealed.

Section 13. Effective Date. The provisions of this act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of December, one thousand nine hundred forty-nine.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on second reading, as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" further regulating the licensing of dental hygienists

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 841, entitled:

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for Western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital" and its supplements as authorize aldermen justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania

now known as the Pennsylvania Training School at Morganza.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 843, entitled:

An Act making an appropriation to the Department of Public Instruction for administering its program of in-service training.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employes of institutions and of the courts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class imposing taxes upon certain classes of personal property providing for the assessment and collection of the same imposing duties on county assessing authorities boards of revision of taxes receivers of school taxes imposing duties on and providing for compensation to certain county treasurers and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. FRAZIER offered the following amendments:

Amend sec. 2, page 3, line 18, by inserting after the word "state" the following: "or within this Commonwealth but outside the school district levying the tax"

Amend sec. 2, page 4, line 7, by striking out the word "less than two (2) nor"; Amend sec. 2, page 6, line 2 by striking out the word "State" and inserting in lieu thereof the following: "school district levying the tax"

Amend sec. 2, page 8, line 19, by striking out the word "this Commonwealth" and inserting in lieu thereof the following: "such school district"; Amend sec. 2, page 9, line 8, by striking out the words "this Commonwealth" and inserting in lieu thereof the following: "such school district."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. FRAZIER offered the following amendment:

Amend sec. 3, (d), page 11, line 19, by striking out the word "county" and inserting in lieu thereof the following: "school district levying this tax."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. FRAZIER offered the following amendment:

Amend sec. 12, page 19, line 6, by striking out the word "It" and inserting in lieu thereof the following: "For the purpose of enabling the board of public education to levy the taxes imposed by this act for 1948 and for every year thereafter it."

It was agreed to.

The section was agreed to as amended.

The thirteenth and fourteenth section were read and agreed to.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. FRAZIER offered the following amendments:

Amend sec. 15, page 20, line 17, by striking out the word "on"; Amend sec. 15, page 20, by striking out all of line 18, and inserting in lieu thereof the following: "immediate upon final enactment and shall continue in effect until and including December 31, 1949".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, to be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 925, on second reading, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1013, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1017, on second reading, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by further defining real estate brokers and real estate salesmen; and further regulating the licensing and supervision of such persons and their business.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1337, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1342, entitled:

A further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER from the Committee on Education, reported as amended, Senate Bill No. 788, entitled:

An Act to further amend section six of the act, approved the thirtieth day of March, one thousand nine

hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," further providing for examinations to be given applicants for licensure.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to War Veteran and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 60, entitled:

An Act making an appropriation to the Philadelphia Committee for Prevention of Blindness, Inc., for the purpose of maintaining services for the control of causes of blindness.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section eight of the act approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings, specifications, or other data.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies, with the approval of the Governor to acquire by purchase or condemnation land with or without buildings, to erect buildings, to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease, to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon, and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary; and providing that land and buildings acquired hereunder shall be exempt from taxation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions

of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals, for a survey of the need for additional hospital facilities, and for the development and administration of a hospital construction program which will, in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money, establishing methods of administration and control, providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder, authorizing the acceptance and expenditure of Federal funds in accordance with such requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend sections three, four and five of the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 158), entitled "An act creating a Legislative Reference Bureau; providing for the election of a director by the General Assembly; designating the officers and employees of such bureau, defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau; and making an appropriation," further defining the powers of the director with respect to the employees of the Bureau, and increasing the director's salary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 819, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, requiring bills to be considered on three different days in each House.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation, pro-

viding for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties", by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 830, entitled:

An Act to further amend section seven of article two of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," authorizing the Secretary of Mines, where the need demands, to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides; and in general, making provisions thereof conform to existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 857, entitled:

An Act to amend section two thousand two hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the salary of school controllers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 858, entitled:

An Act to further amend section twenty-one of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the limit on the amount to be retained by registers of wills for their own use, for collecting inheritance taxes as agents of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 861, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing heads of departments to act by deputy as ex-officio members of any board or commission; and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman Recreational Park, Mead Township, Warren County, for construction buildings and improvements and maintenance thereof.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 864, entitled:

An Act to repeal the act, approved the eleventh day of April, one thousand eight hundred sixty-eight (P. L. 864), entitled "An act relative to the election of commissioner's clerk in the County of Northampton".

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in certain newspapers in certain cases.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veterans' affairs and the payment by counties of certain expenses in connection therewith.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in

and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1103, entitled:

An Act to amend section two hundred seven and eight hundred nine of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissioners, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for service required to be rendered by this act, imposing penalties; and repealing certain acts and parts of acts relating to corporations," requiring the recording of corporation charters and amendments thereto.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1322, entitled:

An Act making an appropriation to the Trustee of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, June 10, 1947 at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:16 o'clock, p. m., Eastern Standard Time until Tuesday, June 10, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, June 9, 1947

The House met at 3:30 p. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

Our blessed, Heavenly Father, quicken and deepen the sense of the divine within all of us; make it the dominant note of our being, so we shall be rich in those things that make for happiness and helpfulness toward all men. Kindle the flames of love and devotion upon the altars of the hearts of every member and official of this legislative body. We pray in Jesus' name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, June 5, 1947.

The Clerk proceeded to read the Journal of Thursday, June 5, 1947, when, on motion of Mr. WOLF unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs FLEMING, BEECH, JOHNSTON and
HALLER HOUSE BILL No. 1346

An Act relating to the annual salaries of certain county officers of counties of the second class.

Referred to the Committee on Counties.

Br. Messrs. MADDEN and LYONS.

HOUSE BILL No. 1347

An Act relating to the annual salaries of certain county officers of counties of the third class.

Referred to the Committee on Counties.

By Messrs. DAVID REESE, DALRYMPLE, JONES
and RAGOT. HOUSE BILL No. 1348

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

Referred to the Committee on Counties.

By Mrs. DYE and Messrs. BOWER and STANK.

HOUSE BILL No. 1349

An Act relating to the annual salaries of certain county officers of counties of the fifth class.

Referred to the Committee on Counties.

By Messrs. BRICE, GUTHRIE, DAGUE and RAY L. RILEY HOUSE BILL No. 1350

An Act relating to the annual salaries of certain county officers of counties of the sixth class.

Referred to the Committee on Counties.

By Mr. GREENWOOD HOUSE BILL No. 1351

An Act relating to the annual salaries of certain county officers of counties of the eighth class.

Referred to the Committee on Counties.

By Mr. IMBT HOUSE BILL No. 1352

An Act relating to the annual salaries of certain county officers of counties of the seventh class.

Referred to the Committee on Counties.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 471

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

Referred to the Committee on Mines and Mining.

SENATE BILL No. 529

An Act proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

Referred to the Committee on Judiciary.

SENATE BILL No. 571

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission.

Referred to the Committee on State Government.

SENATE BILL No. 713

An Act creating a commission to make a thorough study the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis; providing for its appointment, authorizing the employment of necessary assistants; prescribing the powers and duties of the commission; and making an appropriation

Referred to the Committee on Appropriations.

SENATE BILL No. 720

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

Referred to the Committee on State Government.

SENATE BILL No. 737

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same another method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the change of the fiscal year by districts of the second class.

Referred to the Committee on Education.

SENATE BILL No. 792

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer; requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers; requiring an affidavit of the consideration received before a new certificate of title is issued; providing for the revocation of dealer's licenses and imposing penalties for violations.

Referred to the Committee on Judiciary.

SENATE BILL No. 812

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or re-

quired by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered re-sold or otherwise disposed of or marketed in and marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States.

Referred to the Committee on Agriculture and Dairy Products.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. ROYER and ANDREWS.

(Concurrent) RESOLUTION No. 62.

In the House of Representatives, June 5, 1947

Whereas, The several counties of the Commonwealth, in recognition of the service and devotion of the men and women of the county, who served the Nation in the armed forces during the first and second World Wars, propose to establish permanent records and mementos to them; and

Whereas, Rosters by counties are available in the Department of Military Affairs for the service personnel of World War II, but are obtainable only for the Commonwealth at large for the first World War; therefore be it

Resolved (if the Senate concurs), That the Department of Military Affairs is hereby directed to prepare and compile a separate roster for each county of the Commonwealth of the residents of the county who served during World War I, and to make the same available to the proper authorities of the county as early as the same can be accomplished.

Referred to Committee on Military Affairs.

By Messrs. STIMMEL and FLEMING.

RESOLUTION No. 63.

In the House of Representatives, June 5, 1947.

Whereas, There exists a practice by which purchasers of automobiles and other personal property are denied the right to select and obtain insurance coverage of their own choice; and

Whereas, Certain vendors of automobiles and other personal property demand as a condition precedent to the selling of an automobile and other personal property that the purchaser finance and insure that property in companies represented or selected by the vendor; and

Whereas, This practice is monopolistic and detrimental to the rights and welfare of the public since the insurance coverage forced upon the buyers of personal property is in many cases either inadequate or excessive and is permitted to expire upon completion of the deferred payments without the knowledge of the purchaser who is then left unprotected; and

Whereas, The public are the victims of these abuses, therefore, be it

Resolved, That the Joint State Government Commission is hereby requested to make a thorough and comprehensive investigation and study of the abuses existing in the practice of certain vendors of personal property of writing or causing to be written insurance covering the goods they sell, and to study the advisability of prohibiting vendors of personal property to write or otherwise share in the money received from insurance on the property they sell, whether or not abuses are found to exist, and to make a report on their findings together with recommendations of remedial legislation to the next regular session of the General Assembly.

Referred to Committee on Rules.

RESOLUTION

CERTIFIED COPY OF SENATE BILL No. 10

Mr. WOOD offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 9, 1947.

Whereas, Senate Bill 10, Printer's No. 1, entitled: "An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

The official copy of which was referred by the Speaker to the House Committee on Appropriations on Wednesday, March 19th, 1947 has been lost.

Be It Resolved, That the Chief Clerk of the House is hereby directed to request the Senate to furnish the House with a certified copy of Senate Bill No. 10, Printer's No. 1, which copy shall be substituted for the original, for the consideration of House Committee on Appropriations.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SERRILL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 5, 1947.

Resolved, (if the House of Representatives concurs), That this Regular Session of the General Assembly adjourn sine die Saturday, June 14, 1947, at 6:00 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 4, 1947.

Next year the City of Reading, Pennsylvania, will celebrate its bicentenary as the said city was founded in 1748 by Thomas and Richard Penn, sons of William Penn. The City of Reading and the County of Berks were

named respectively for the native English city and shire of the Penns.

In connection with its history it is interesting to note that during the French and Indian War the colonial frontiers passed through Berks County. Massacres and Indian alarms were frequent. The provincial government failed to establish an organized resistance and that task fell to one of the greatest men of the Colonial era—Conrad Weiser of Heidelberg. Next to William Penn, he was the pioneer who by his honesty, understanding and fair dealing had won the respect and confidence of the Indians. He was the Province's chief Indian interpreter and represented not only his own Province but also Maryland and Virginia.

Contemporaneous with Weiser, there lived in a neighboring township to Reading two families connected with each other by marriage who have contributed two of America's greatest men. The Boones gave us Daniel Boone, the pioneer of Kentucky, who was born here in 1734; the Lincolns gave us Abraham Lincoln, born here in 1738, the grandfather of the martyred President.

The early industries of Reading had their inception in the manufacture of iron and its products. Reading was the center of a region that was among the very first to produce iron, and for nearly a century this region maintained its supremacy in that line. It was one of the earliest producers of stoves and castings; in fact, the first cook stove in America was made here in 1767 by Thomas Maybury.

In 1716, Thomas Rutter erected upon a branch of the Manatawny Creek the first forge ever built in Pennsylvania. Several years later he built the first furnace. Charcoal forges and furnaces arose in such numbers throughout our hills that by the time of the Revolution, Berks County had become the center of the colonial iron industry.

Reading and Berks are proud of the men they have given to the service of the State and the Nation. Besides Conrad Weiser, there were such men as Joseph Heister, Governor of Pennsylvania, 1820-1823; John Andrew Schulze, Governor, 1823-1829; a father of our common school system; Joseph Ritner, Governor, 1835-1839; Spencer Fullerton Baird, scientist, long head of the Smithsonian Institute; David M. Gregg, Brigadier General, who won fame upon the battlefield of Gettysburg; Henry A. Muhlenberg and J. Glancy Jones, Ministers to Austria; Frederick Smith and Warren J. Woodward, Justices of the Supreme Court of Pennsylvania; William Strong, associate justice of the Supreme Court of the United States; George F. Baer, railroad President, Nathan C. Schaeffer, Superintendent of Public Instruction of Pennsylvania under seven successive governors, and Hunter Liggett, Lieutenant General of the U. S. Army and second in command in the American Expeditionary Forces.

Today the City of Reading has a population of 110,568, which makes it fifth in population and third in industry among the cities of Pennsylvania, a city whose metropolitan area embraces a population of 266,855.

In Metropolitan Reading is located 13 of the largest plants of their kind in the United States producing full-fashioned hosiery, full-fashioned hosiery machinery, narrow fabrics, single thread lace machinery, high grade alloy steel, small steel castings, glove silk underwear, menthol cough drops, heat treated automobile frames, glass door knobs, goggles, optical goods and children's shoes.

Here also are the two largest single unit foundries in the world and the largest brick-burning kiln in the world; also the great locomotive and car shops of the Reading Company, one of the largest and best equipped in America. Reading is the nation's secondlargest center for the manufacture of builders' hardware and hosiery and knit goods.

Reading is also recognized as the home of the pretzel industry of America, a commodity that is exported to 20 foreign countries, in Europe, South America, South Africa, India and Arabia. The high quality of the

Reading-made pretzel is due in large measure to the pure mountain spring water, found in Reading, which is used in the making of this delicacy.

Reading claims the distinction of a symphony Orchestra of 60 pieces; two Choral Societies, a Chamber Music Ensemble, a Civic Opera Company and many other excellent music groups which have contributed to the city's fame as a center of art and culture, therefore be it

Resolved (If the Senate concur) That the General Assembly of this Commonwealth of Pennsylvania hereby congratulates the said city upon its bicentenary and wishes it continued success in the years to come, and be it further

Resolved, That the Chief Clerk of the House of Representatives shall transmit to the Mayor of the City of Reading, a copy of this resolution.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 4, 1947.

The sudden death of Judge Fred S. Reese at his residence in Carlisle, Pennsylvania, on May 30, 1947, was a profound shock to his many friends and admirers throughout the Commonwealth.

Gifted with an innate sense of fairness and an unusual perspicuity his career as President Judge of the Cumberland County Courts was truly one of justice for all.

Born at Illion, New York, December 12, 1896, he received his early education in the public schools of that community and upon his graduation from Cornell in 1919 with an L.L.D. degree Judge Reese joined the faculty of the Dickinson Law School and was soon regarded as an unusually capable and popular teacher.

He first held public office upon his election as district attorney of Cumberland County in 1927 and demonstrated his capabilities so well in that position that he was elected to the bench in 1931, becoming the youngest jurist to ever sit upon the Cumberland County bench. In 1941 Judge Reese was reelected without opposition.

A man vitally interested in his community and the Nation Judge Reese, upon his establishing residence in Carlisle, soon became identified with many charitable and other worthwhile projects. As a Boy Scout leader, a churchman, and officer of many fraternal organizations and local community projects his boundless energy and ability to direct the achievement of desired goals made him an invaluable asset to his community. In 1946 Judge Reese spent the summer in Germany as legal adviser to the Public Health, Welfare Religious and Education Branch of the United States Military Government.

In his passing, Judge Reese leaves a vacancy in his community and the judicial system of the Commonwealth that will be difficult if not impossible to fill, and his family and friends will sorely miss his devotion and friendship; therefore, be it

Resolved (if the Senate concur), That in the passing of Judge Fred S. Reese the Commonwealth and Carlisle have lost a distinguished citizen whose record of service will long be remembered; and be it further

Resolved, That as a sincere but inadequate expression of the deep sympathy of the General Assembly the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to his widow, Mrs. Edith R. Reese, residing at Carlisle, Pennsylvania.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Agriculture and Dairy Industry to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 216.

An Act authorizing the Joint State Government commission to study the education facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation.

HOUSE BILL No. 268.

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters

HOUSE BILL No. 303.

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

HOUSE BILL No. 587.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

HOUSE BILL No. 687.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others

HOUSE BILL No. 688.

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

HOUSE BILL No. 701.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

HOUSE BILL No. 713.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

HOUSE BILL No. 737.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

HOUSE BILL No. 738.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth

HOUSE BILL No. 739.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

HOUSE BILL No. 840.

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

HOUSE BILL No. 843.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

HOUSE BILL No. 918.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

HOUSE BILL No. 928.

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

HOUSE BILL No. 1004.

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

HOUSE BILL No. 1006.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

HOUSE BILL No. 1245.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

HOUSE BILL No. 1246.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

HOUSE BILL No. 1247.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

HOUSE BILL No. 1248.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

HOUSE BILL No. 1250.

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia.

HOUSE BILL No. 1251.

An Act making an appropriation from the Motor License Fund to the State Employees Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

HOUSE BILL No. 1252.

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

HOUSE BILL No. 1253.

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

HOUSE BILL No. 1254.

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

HOUSE BILL No. 1255.

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

HOUSE BILL No. 1256.

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

HOUSE BILL No. 1257.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

HOUSE BILL No. 1258.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

HOUSE BILL No. 1259.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

HOUSE BILL No. 1260.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

HOUSE BILL No. 1262.

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

HOUSE BILL No. 1263.

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

HOUSE BILL No. 1264.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

HOUSE BILL No. 1265.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 1266.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

HOUSE BILL No. 1267.

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

HOUSE BILL No. 1268.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

HOUSE BILL No. 1269.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

HOUSE BILL No. 1270.

An Act making an appropriation to aid certain school districts

HOUSE BILL No. 1271.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

HOUSE BILL No. 1272.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

HOUSE BILL No. 1276.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

HOUSE BILL No. 1277.

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 1336.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 5, 1947.

Whereas, The Gettysburg Address of President Abraham Lincoln is an outstanding classic and will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and

Whereas, In that address Mr. Lincoln adjured his fellow countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth;" therefore, be it

Resolved, (if the House of Representatives concur), That November 19, the anniversary of the delivery of the Gettysburg Address, be and hereby is, designated in our calendar of special days as Dedication Day, and be it further

Resolved, That the Governor of Pennsylvania is requested to proclaim November 19 as Dedication Day and to suggest that the address be read on that day in schools and public assemblages throughout the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution lies over under the Rules.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 458, 602, 608, 623, 734, 753, 798, 802, 804, 820, 821 and 822.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 715.

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

HOUSE BILL No. 850.

An Act to further amend Clauses six nine ten and thir-

teen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the State employee and original member to include certain employees paid on a per diem or hourly basis.

HOUSE BILL No. 932.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor.

HOUSE BILL No. 1040.

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making a nappropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 266, 305, 432, 542, 631, 759, 810, 890, 895, 908, 910, 919, 961, 1057, 1084, 1085, 1091, 1110, 1112, 1163 and 1174.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 266, Printer's No. 523, entitled "An act to amend section five hundred ten of act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 305, Printer's No. 661, entitled "An act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing procedure for enforcement and imposing penalties."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 432, Printer's No. 657, entitled "An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 542, Printer's No. 585, entitled "An Act creating as bodies corporate and politic 'Parking Authorities' in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 631, Printer's No. 556, entitled "An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stopsale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 759, Printer's No. 647, entitled "An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled 'An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees' permitting the conferring of civil service status on appointees in certain cases."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 810, Printer's No. 137, entitled "An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 890, Printer's No. 318, entitled "An act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating

to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees and fines and penalties of such organizations excluding from the definition of agent and broker in the case of title insurance companies attorneys licensed real estate agents and brokers and repealing certain sections."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 895, Printer's No. 747, entitled "An act to add a new section six hundred twenty-six to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' authorizing insurance companies associations and exchanges to pay commissions to licensed brokers."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 908, Printer's No. 322, entitled "An act to add four new sections to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' regulating ownership by domestic insurance companies of the capital stock of other insurance companies conferring powers upon the Insurance Commissioner prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 910, Printer's No. 262, entitled "An act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance defining and prohibiting such methods acts and practices conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act prescribing and regulating the practice and procedure before the

commissioner and procedure for review by the courts conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 919, Printer's No. 219, entitled "An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined' changing the membership of the State Planning Board."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 961, Printer's No. 528, entitled "An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1057, Printer's No. 323, entitled "An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled 'An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politics to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including

agreements with the United States; the Commonwealth and political subdivisions; and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments' regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1084, Printer's No. 224, entitled "An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1085, Printer's No. 363, entitled "A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled 'An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation' providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and reappropriating the unexpended balance of the appropriation."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1091, Printer's No. 225, entitled "An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' as amended by amending Sections 220 and 2413 and adding new Section 526 and 701 (1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1110, Printer's No. 368, entitled "An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled 'An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire' by further providing for the filing of reports and for certain deductions."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1112, Printer's No. 450, entitled "An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended 'An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws' authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1163, Printer's No. 460, entitled "An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled 'An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes' further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties."

JAMES H. DUFF.

June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1174, Printer's No. 281, entitled "An Act to further amend clause (j) of section

one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by prescribing certain additional forest powers and duties."

JAMES H. DUFF.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. STOCKHAM asked and obtained permission for the Select Committee on Resolutions of Recognition to meet during the session of the House.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1243.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

With the information that the Senate has passed the same without amendment.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 263

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 263, Printer's No. 57, entitled "An act relating to firemen's pension funds in cities of the Second Class (A) and directing such cities to appropriate certain moneys thereto."

This bill is a new measure and would direct the city treasurer to pay over to the organization or association constituting and having in charge the distribution of firemen's pension funds, one and one-half per cent of all city taxes collected by the city other than taxes levied to pay interest on or to extinguish the debt of the city, or any part thereof. Section 2 of the bill provides, "The

organizations herein mentioned shall consist only of such as are by city ordinance designated as the official and authorized organization to hold, receive and distribute the funds or moneys for the purpose of pensioning the firemen of said cities."

This bill of course applies to only the City of Scranton, Lackawanna County, and I am uninformed as to whether the government of the City of Scranton maintains an active firemen's retirement fund or pension fund, or employes' retirement system. This bill is silent as to the nature of the organization or association making distribution of firemen's pensions. Primarily, I wish to point out, however, that one and one-half per cent of all city taxes, with the exceptions of debt and sinking fund service, will vary considerable in amount over a period of years. Especially is this true inasmuch as the Legislature is now authorizing municipalities to tax anything not now taxed by the Commonwealth.

The taxing powers of the city emanate from authorization given by State statutes to collect taxes for various certain purposes. These purposes are earmarked, and the collection for that purpose cannot legally be used for another purpose. The main objection to the bill lays in the provision that the amount collected by taxation would be transferred to another organization. There is no control of such tax retained by the city council. When council provides taxes for certain expenditures, it is the duty of that body to make such expenditures themselves, or under their direction. They cannot give that power to another person or organization.

The Constitution of 1874 enunciated this principle in Article 3, Section 20, wherein it is stated:

"The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever."

In this bill, the Legislature expressly authorized revenue derived from taxes to be paid to another organization. Under the terms of the bill, all control over this money is lost by the city government, and I therefore believe that this bill is in plain violation of this section of the Constitution.

Section 2 of the bill provides that the organizations mentioned shall consist only of such as are by city ordinance designated as the official and authorized organization to receive and distribute the funds. I am at loss to know whether such an ordinance is already in existence, or whether one will be passed in the future. This of course is not material in construing the present bill, but I can find no authority for the council of cities of Second Class (A) to pass such an ordinance.

It is obvious that the provisions of this Bill are in direct contravention of the provisions of the Constitution of Pennsylvania, and for that reason I am obliged to veto it.

JAMES H. DUFF.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary notwithstanding?

Mr. CORDIER. Mr. Speaker, I move that the communication, together with the bill be laid upon the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 898

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 898, Printer's No. 321, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. STUART. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown, vote on the final passage of this bill?

Mr. BROWN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Stuart, vote on the final passage of this bill?

Mr. STUART. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BROWN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 3, line 18, by inserting at the end of the line after the word "emergencies" the following: "such as epidemics floods fire or other catastrophies and to increase the salaries of the employees of the board."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1173

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1173, Printer's No. 650, for further amendments.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. LAYER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cameron, Mr. Tompkins vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware, Mr. Layer vote on the final passage of this bill?

Mr. LAYER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 2) page 4, line 7, by inserting after the word "trees" the following: "shrubs or vines."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chairs hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. LIVINGSTON from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 683, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forest and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," authorizing the Water and Power Resources Board to sell waters from canals, and to lease, sell and convey real, personal or mixed property, acquired by it.

Mr. POWERS from the Committee on Counties, reported as committed, House Bill No. 1346, entitled:

An Act relating to the annual salaries of certain county officers of counties of the second class.

Mr. MADDEN from the Committee on Counties, reported as committed, House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class.

Mr. CHERVENAK from the Committee on Counties, reported as committed, House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

Mr. JOHNSON from the Committee on Counties, reported as committed, House Bill No. 1350, entitled:

An Act relating to the annual salaries of certain county officers of counties of the sixth class.

Mr. JOHN M. REILLY from the Committee on Counties, reported as committed, House Bill No. 1351, entitled:

An Act relating to the annual salaries of certain county officers of counties of the eighth class.

Mr. GIBSON from the Committee on Counties, reported as committed House Bill No. 1352, entitled:

An Act relating to the annual salaries of certain county officers of counties of the seventh class.

Mr. WEISS from the Committee on Counties, reported as committed, Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

Mr. GYGER from the Committee on Agriculture and Dairy Products, reported as committed, Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk

Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk products in Pennsylvania not covered by such compact or order and redelivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States.

Mr. STANK from the Committee on Appropriations, reported as amended, House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said department and defining the uses to which the property shall be put and making an appropriation

Mr. BRUNNER from the Committee on Rules, reported as committed House Resolution No. 59.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 693, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary properties, easements, rights and right-of-ways; and making an appropriation," authorizing the Water and Power Resources Board to see waters from canals, and to lease, sell and convey real personal or mixed property, acquired by it.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1346, entitled:

An Act relating to the annual salaries of certain county officers of counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act relating to the annual salaries of certain county officers of counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act relating to the annual salaries of certain county officers of counties of the eighth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1352, entitled:

An Act relating to the annual salaries of certain county officers of counties of the seventh class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employees providing for their compensation payable by such counties

prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act pact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk products in Pennsylvania not covered by such compact for him and in his behalf providing that any such compact or order and redelivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House today a former Member from Northampton County, Honorable John A. Jones.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 904, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for the cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" including services of industrial insurance agents within the definition of employment

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act to amend section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" making special provisions for manner of registration in boroughs towns and townships of less than a certain population in certain counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 653, entitled:

An Act relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on

such question and regulating hours of service hours of rest and annual vacations

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. HORAN offered the following amendment:

Amend Sec. 3, page 4, line 6, by striking out the words "forty-seven" and inserting in lieu thereof: "forty-eight".

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and offices authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" increasing the membership of the banking board and the number of appointments to that board by the Governor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 978, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities of the third class or boroughs and regulating the proceedings pertaining thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. McMILLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1193, entitled:

An Act authorizing public utility corporations engaged in transmitting electricity or transporting steam water gas oil or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such cities

The first section was read.

On the question,

Will the House agree to the section?

Mr. WILLIAM J. REILLY offered the following amendments:

Amend Sec. 1, page 2, lines 4 and 5, by striking out the words "said cities are" and inserting in lieu thereof "the said city by the majority vote of the members of its council is."

Amend Sec. 1, page 2, line 5, by inserting after the word "by" "the".

Amend Sec. 1, page 2, line 6, by striking out the word "cities" and inserting in lieu thereof "city".

Amend Sec. 1, page 2, line 6, by inserting after the word "and" "the".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. WILLIAM J. REILLY offered the following amendment and agreed to as amended.

Amend title, page 1, last line of title, by striking out the word "cities" and inserting in lieu thereof "city".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L. —) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" by designating the nature of the tax by clarifying the provisions relating to the imposition thereof and by redefining certain terms

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time heretofore or hereafter spent in military service in time of war or national emergency in counties of the second class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DIX. Mr. Speaker, we have here on page 5, Senate Bill 80, a bill declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer as the State song of Pennsylvania. It seems to me that this is rather a late hour to adopt a song for the great state of Pennsylvania. I am sure that the Members of the House do not wish to adopt a third class song for a first class state. Now, I do not mean to infer by that that this is a third class song, but you will recall that about four years ago the Members of the House passed a bill which would make the State song out of one called "The Rolling Hills of Pennsylvania." We gave that due consideration and we passed it over to the Senate, and the Senate was not satisfied with it, they did not consider it and we did not get a State song for the great state of Pennsylvania.

Now, Mr. Speaker, the Senate has picked up a song, sent it over to the House, and I believe that we should pass on it at this late date in the same manner in which the Senate acted upon our song several years ago.

Mr. Speaker, I would like to have this bill recommitted to the Committee on State Government.

The SPEAKER. Does the Chair understand that the gentleman from Wayne is out of tune with the Senate?

Mr. DIX. Mr. Speaker, I believe that four years ago the song "The Rolling Hills of Pennsylvania" was sung in the hall of this House. I don't know if any individuals sang it or not but I would suggest that the sponsor of this bill, Mr. Snowden, be requested to come over to the House and sing this song for us.

MOTION TO RECOMMIT

Mr. DIX. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mrs. DYE. Mr. Speaker and Members of the House, I disagree with my friend from Wayne, Mr. Dix, in regard to this bill creating a State song for Pennsylvania. This song is sung by the Federation of Womens' Clubs all over Pennsylvania and we believe it is a very beautiful and proper song for our fine State.

Mr. DIX. Mr. Speaker, this may be a very beautiful song, but I feel it is a very serious matter. In America we have some very remarkable songs. We have "America," "America the Beautiful," "Columbia, the Gem of the Ocean," and other songs that fittingly describe America.

Mr. Speaker and Members of the House, we have not heard this song, we do not even know the music of the song, and I therefore, in view of the late hour that this song is brought into the House, I still insist upon my motion to have this bill recommitted to the Committee on State Government.

The SPEAKER. I notice the gentleman has used the term "late hour" many times. Does the gentleman recall the time that the Members of the House joined in the singing of a previous song?

Mr. ERB. Mr. Speaker, my colleague from Wayne, Mr. Dix, might be a poet laureate but he is no singer. So I suggest to you and to the Members of the House that this bill be read and passed on and that we ask Mrs. Dye to sing it when it is up for consideration on third reading. I thank you.

The SPEAKER. Does the bass singer from Union desire to be recognized at this time?

Mr. REAGAN. Mr. Speaker, I hate to take sides against my friend, the gentleman from Wayne, Mr. Dix, or against my friend, the lady from Mercer, Mrs. Dye, but I do know that Mr. Dix sings because I have heard something that sounded like singing directly in the seat behind me, and I am sure that Mrs. Dye has a very melodious voice that can easily be distinguished because of its resonance, and since there is such a dispute, why not have them sing it as a duet and let the House judge for itself.

Mr. GOFF. Mr. Speaker, I haven't had an opportunity to hear this masterpiece, and although I agree with Mrs. Dye, the lady from Mercer, that the Federated Club Women are in favor of this song, I think that Pennsylvania has waited so long to get a State song that we should consider this a little seriously. I suggest that we take it back to Committee and perhaps get some action on it from Mr. Dix, and pass it over to a musical committee, because if we are going to give this song to the people of Pennsylvania, it is hard to rime words with "Pennsylvania." I know that Fred Waring hesitated to write a song for this State because he couldn't get anything to rime with the word "Pennsylvania". So I will have to go along with my friend from Wayne, Mr. Dix, in asking that this be returned back to Committee.

The SPEAKER. The Chair might suggest that if there is going to be any music the House should have the benefit rather than the State Government Committee. The Chair

might also state that the only musical committee in the Hall of the House is the Committee on Rules.

Mr. GOODLING. Mr. Speaker, this bill was released from the Committee on State Government by unanimous action. I do not see the Chairman of that Committee here at the present time but I am sure it is not the wish of the Committee that this bill be recommitted to it. I am sure it is our desire to have it remain on the calendar and let become of it what may.

The SPEAKER. The Chair might state that he has heard a record played of this particular song, and if the House desires we might have the record played before the bill is passed on final passage in the hall of the House so that everyone might hear the song. If the House so desires the Chair will try to make such arrangements.

Mr. WORLEY. Mr. Speaker, the State Government Committee was informed that we would have a band to hear this music before this bill passed.

The SPEAKER. Does the gentleman sing alto? The Chair might state to the gentleman that you can play music with a trombone but you cannot play words with an instrument.

Mrs. DYE. Mr. Speaker, I would like seriously to say that this is really a very beautiful song; the Federated Club Women of Pennsylvania, which number several hundred thousand, want this son, and also the American Legion Auxiliary and the Pennsylvania Federation of Music Clubs used this song. We have the unanimous support of all those groups for this song to become our Pennsylvania State Song.

The SPEAKER. The Chair will make arrangements to have a record played before the Members of the House are requested to vote on the bill on third reading.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

MOTION TO POSTPONE

Mr. DIX. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 169, Printer's No. 453, and

Senate Bill No. 170, Printer's No. 454

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 240, Printer's No. 64,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employees and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 373, Printer's No. 71,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 459, entitled:

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendment:

Amend Section 3, Page 3, line 16, by inserting after the word "sections" the following: "and shall include the necessary structures and appurtenances."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishings and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or rights of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for the experimental and research work relating to the pollution of streams and the prevention thereof," by reducing the amount appropriated by said act.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military

Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 491, Printer's No. 231 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three section four and to amend section eight of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1116), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard, ice cream, french ice cream, french custard, frozen custard, sherbert, ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbert ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof," by further defining adulteration in certain cases and further providing for unlawful use of containers and other equipment and the enforcement of the provisions of the act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three clauses (b) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating plans

to merge and the merger of school districts transportation and routes and contracts pertaining thereto and authorizing transportation of pupils on tours to points within the Commonwealth.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendment:

Amend sec. 3 (Sec. 4), page 6, line 18, by inserting after the word "Records" the following: "In no case shall any decree of adoption be made or entered unless the person proposed to be adopted shall have resided with the petitioner for a period of six months prior thereto, or in lieu of such residence, unless such person is related by blood or marriage to the petitioner."

It was agreed to.

The section was agreed to as amended.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-ix) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight

hundred eighty-nine (P. L. 420) entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies and postponing the effective date of said exemption

The first section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendments:

Amend sec. 1 (sec. 21), page 3, line 14, by striking out the word "and".

Amend sec. 1 (sec. 21), page 3, line 15, by inserting after the word "purpose" the following: "(C) organized for laundering and/or supplying of laundered articles and (D) organized for the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 4, line 3, by striking out the word "and" where it appears the second time in said line.

Amend sec. 1 (sec. 21), page 4, line 6, by inserting after the word "market" the following: "(C) organized for laundering and/or supplying of laundered articles and which is invested in and actually and exclusively employed in carrying on laundering and/or supplying laundered articles, and (D) organized for the purpose of the processing and/or curing of meats, their products and by-products which is invested in and actually and exclusively employed in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 4, line 8, by striking out the word "or" where it appears the first time in said line.

Amend sec. 1 (sec. 21) page 4, line 9, by inserting after the word "coal" the following: "laundering and/or supplying of laundered articles or the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 4, line 12, by striking out the word "or" where it appears the first time in said line.

Amend sec. 1 (sec. 21), page 4, line 12, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 4, line 16, by striking out the word "or" where it appears the first time in said line.

Amend sec. 1 (sec. 21), page 4, line 17, by inserting after the word "business" the following: "in the plant and business used in laundering and/or supplying of laundered articles or in the plant and business used in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 5, line 11, by striking out the word "or" where it appears the first time in said line.

Amend sec. 1 (sec. 21), page 5, line 11, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 5, line 18, by striking out the word "or."

Amend sec. 1 (sec. 21), page 5, line 19, by inserting after the word "preparation" the following: "in laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 6, line 8, by striking out the word "or" where it appears the first time in said line.

Amend sec. 1 (sec. 21), page 6, line 9, by inserting

after the word "preparation" the following: "to laundering and/or supplying of laundered articles or to the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 10, line 4, by striking out the word "and."

Amend sec. 1 (sec. 21), page 10, line 5, by inserting after the word "preparation" the following: "(C) organized for laundering and/or supplying of laundered articles and (D) organized for the purpose of processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 10, line 8, by striking out the word "or."

Amend sec. 1 (sec. 21), page 10, line 9, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 10, line 10, by striking out the word "or."

Amend sec. 1 (sec. 21), page 10, line 11, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 10, line 13, by striking out the word "or."

Amend sec. 1 (sec. 21), page 10, line 13, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or in the processing and/or curing of meats, their products and by-products."

Amend sec. 1 (sec. 21), page 10, line 18, by striking out the word "and" where it appears the first time in said line.

Amend sec. 1 (sec. 21), page 10, line 18, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles and for the processing and/or curing of meats, their products or by-products."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendments:

Amend sec. 2, page 12, line 18, by striking out the word "and" where it appears the first time in said line.

Amend sec. 2, page 12, line 18, by inserting after the word "preparation" the following: "laundering and/or supplying of laundered articles or for the processing and/or curing of meats, their products and by-products."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TURNER offered the following amendment:

Amend title, page 1, last line of title on said page, by inserting after the word "business" the following: "and the laundering and/or supplying of laundered articles and meat processing and/or curing businesses."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act

The first section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendment:

Amend Section 1, page 2, line 2, by inserting at the end of the line after the word "Authority" and before " " " the following: "Act."

It was agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendment:

Amend Section 4, page 4, line 1, by striking out at the end of the line after the word "for" the following: "[thel."

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments:

Amend Section 5, page 8, line 3, by striking out at the end of the line after the word "by" the following: "[Department of Publicl."

Amend Section 5, page 8, line 4, by striking out at the beginning of the line and before the word "School" the following "[Instruction andl."

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendments:

Amend Section 6, page 11, line 12, by striking out at the beginning of the line and before the word "rentals" the following: "[tollll."

Amend Section 6, page 11, line 15, by striking out after the word "any" and before the word "rentals" the following: "[tollsl."

They were agreed to.

The section was agreed to as amended.

The seventh to fourteenth sections inclusive were separately read agreed to.

Mr. McMILLEN offered the following amendment:

Amend the bill page 23 by inserting between line 4 and line 5 a new section as follows:

Section 15 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby appropriated to the authority for the payment of

costs and expenses incurred in commencing the work of the authority.

It was agreed to.

The section was agreed to.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. McMILLEN offered the following amendment:

Amend page 23, line 5, by striking out after the word "Section" and before the word "The" the following: "[15]" and inserting in lieu thereof the following: "16."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McMILLEN offered the following amendments:

Amend page 1, line 6, of the title by inserting after the word "thereof" and before the word "authorizing" the following: "authorizing school districts to enter into contracts to lease."

Amend page 1, line 9, of the title by inserting after the word "domain" and before the word "and" the following: "increasing the powers and duties of the Department of Public Instruction."

Amend page 2, by adding at the end of the title the following: "and making an appropriation to said authority to pay expenses incident to its formation."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanatoria.

On the question,

Will the House agree to the bill on second reading?

Mr. SARRAF. Mr. Speaker, I want to find out if this bill will have anything to do, and perhaps the sponsor can tell me whether it would aid in opening the beds in the respective institutions to allow more patients to be admitted to the respective institutions?

Mr. BRUNNER. Mr. Speaker, in answer to the question of the gentleman from Allegheny, it is my understanding that this will open up beds all over the State for any institution, not only state institutions.

May I explain to the gentleman that Senate Bills 596 and 597 are substantially the same as those sponsored by me at other sessions. The law now says that the county cannot pay more than ten dollars a week for the support and maintenance of indigent tubercular patients, and of course, that amount is far too little compared to your present costs, so it was thought best to amend it by knocking out the limitation and allowing the counties to take care of these people at the prevailing rate,

at whatever institution they were placed. But this does not limit it solely to state institutions. I know of a sanitarium close to my home where our county, for instance, intends to maintain patients and maintain them there should this become law.

Mr. SARRAF. Mr. Speaker, I think the gentleman from Montgomery. I think at this time it is proper to bring out the fact that these institutions should be aided and this is now the proper time to let the House know and let the Members of the Appropriations Committee know that beds throughout the State are being kept without patients in them as a result of the inability to have doctors, assistants, working around the place, and technicians.

With respect to the housing facilities in Pittsburgh alone, we have seventy-five to be admitted. In less than six weeks that number was reduced to forty, and at least sixteen died waiting to be admitted. This is a vital problem and I think this is an opportune time to discuss the matter. I am sorry to take up the time of the House because this does not directly bear on this bill before us, but I think it is an opportune time to bring out the fact that our tuberculosis hospitals have beds in the state without any patients and nobody to help them, the help is not paid, and there are no facilities.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State high-

ways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to High-Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

The first section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendments:

Amend Section 1, (Section 6) Page 6, line 13, by striking out the words "Fountain Springs."

Amend Section 1, (Section 6) Page 6, line 13, by removing the underscoring from the word "Gilberton."

Amend Section 1, (Section 6) Page 6, line 13, by removing the underscoring from the word "Girardville."

Amend Section 1, (Section 6) Page 6, line 18, by striking out the word "in" and inserting in lieu thereof the word "into."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imi-

tation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 667, Printer's No. 377

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations and replacement of existing buildings and for architectural and engineering fixtures equipment sewage treatment plants water supply electrical and other facilities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 709, Printer's No. 476, and

Senate Bill No. 714, Printer's No. 283

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 762, Printer's No. 403

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act shall become available

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

ANNOUNCEMENT

The SPEAKER. The Chair has an important announcement to make. Thursday night of this week it is planned to hold ceremonies under the direction of the Select Committee under the Chairmanship of Mr. Stockham. The Members of the House, I am sure, want to plan to be present at that time. Please make your plans accordingly. The session will be at eight o'clock.

RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR RELATIONS

Mr. ANDREWS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The Resolution was read by the Clerk as follows:

In the House of Representatives, June 9, 1947

Resolved, That the Committee on Labor Relations be discharged from further consideration of House Bill No. 644:

"An Act to prevent and eliminate practices of discrimination in employment and otherwise against persons because of race, religion, color or national origin; creating a State Fair Employment Practice Commission; defining its functions, powers and duties; providing for the appointment and compensation of its officers and employes and prescribing penalties.

Which bill was referred to the Committee on Labor Relations on March 12.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, I would ask for a roll call and simply explain to the House that the measure was sponsored by myself, an FEPC measure.

Mr. SORG. As this is a resolution to discharge a Committee, one of the work shops of the House, I ask the Members to vote against it.

The yeas and nays were required by Mr. Andrews and Mr. Petrosky and were as follows:

YEAS—39.

Andrews,	Chudoff,	Needham,	Schuster,
Bane,	Cochran,	O'Connor,	Snider,
Barrett,	Cole,	O'Neill,	Stank,
Bentzel,	Demech,	Petrosky,	Swope,
Boles,	Evans,	Polaski,	Tahl,
Brown,	Kirley,	Powers,	Verona,
Bucchin,	Lovett,	Readinger,	Weiss,
Capano,	Mazza,	Reese, R. E.,	Wheeler,
Chervenak,	Mills,	Sarraf,	Yester,
	Mooney,	Scanlon,	Yetzer,

NAYS—142.

Aaronson,	Goff,	Lyons,	Sax,
Baumunk,	Goodling,	Madden,	Scott,
Beech,	Gorman,	Madigan,	Serrill,
Bender,	Graybill,	McCosker,	Shoemaker,
Bloom,	Greer,	McCullough,	Simons,
Bonawitz,	Guthrie,	McDonald,	Smith, C. C.,
Boorse,	Gyger,	McKinney,	Smith, C. M.,
Bower,	Hall,	McMillen,	Sollenberger,
Brelsch,	Haller,	Mikula,	Sorg,
Brice,	Haudenschild,	Miller,	Sproul,
Brunner,	Heim,	Mintess,	Stimmel,
Cadwalader,	Henry,	Mohr,	Stockham,
Clevenger,	Hewitt,	Moore, C. E.,	Stonier,
Cook,	Hocker,	Moore, H. A.,	Stuart,
Cooper,	Hoffman,	Morrison,	Thomassy,
Cordier,	Hoopes,	Murray,	Thompson,
Crowley,	Horan,	Najaka,	Tittle,
Dague,	Imbt,	Neff,	Tompkins,
Dairymple,	Jennings,	Nelson,	Toomey,
Davison,	Johnson,	O'Dare,	Turner,
De Long,	Johnston,	O'Donnell,	Upshur,
Dennison,	Jones,	Orban,	Vaughan,
Depuy,	Jump,	Patten,	Wachhaus,
Dix,	Kelley,	Pichney,	Wagner,
Dye,	Kemp,	Pickens,	Waldron,
Efenberg,	Kent,	Price,	Walton,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Kohl,	Ragot,	Watkins,
Ewing,	Kratz,	Reagan,	Watson,
Feola,	Krise,	Reese, D. P.,	Wescott,
Fish,	Kurtz,	Relly, J. M.,	West,
Fiss,	Laughner,	Relly, W. J.,	Wolf,
Flack,	Layer,	Richter,	Wood,
Fleming,	Lee,	Riley,	Worley,
Foor,	Leisey,	Robbins,	Yeakel,
Frost,	Livingston,	Robertson,	Young,
Gallagher,	Livingstone,	Rose,	Lichtenwalter,
Getchey,	Loftus,	Royer,	Speaker.
Gibson,			

NOT VOTING—14

Cassidy,	Kean,	Myers,	Rowen,
Costa,	McCormack,	Naumann,	Trout,
Greenwood,	Mihm,	Root,	Wallin,
Griffiths,			Weidner,

So the question was determined in the negative and the resolution was not adopted.

BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 551, as follows:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewerage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of and users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals rates or charges may be imposed and the proceeds thereof used Adding purposes including the design and construction of new or additional sewers sewerage systems and sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utilities Commission in connection therewith authorizing the shut off of water supply in certain cases making it unlawful to discharge harmful industrial wastes into any municipal sewer and providing that the amendments shall not apply to cities of the first class or authorities operating in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one and two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewerage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" as amended by the act approved the fourteenth day of May one thousand nine hundred thirty-seven (P. L. 630) are hereby further amended to read as follows

An Act empowering [cities boroughs incorporated towns and townships] municipalities to charge and collect annual rentals rates or charges for the use of certain sewers [sewerage] sewerage systems and sewage treatment works [including charges for operation inspection maintenance repair and depreciation and the amortization] [of indebtedness in interest thereon] from owners of property and from users of water authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works authorizing municipalities and authori-

ties to use the proceeds of water sewer sewerage and sewage treatment rentals rates and charges for certain purposes including the design and construction of new sewers sewerage systems and sewage treatment works authorizing special assessments for such new design and construction authorizing water utilities to collect such rentals rate charges and assessments and to shut off water in certain cases conferring certain powers upon the Pennsylvania Public Utility Commission and making it unlawful to discharge harmful industrial wastes into any municipal sewer

Section 1 Be it enacted &c That whenever any [city borough incorporated town or township] municipality either singly or jointly with any other municipality or municipalities [or townships or both] (a) has wholly or partially constructed or completed or shall hereafter wholly or partially construct or complete any sewer [sewerage] sewerage system or sewage treatment works either wholly or partially at public expense or [shall have] (b) has acquired or shall hereafter acquire the same either wholly or partially at public expense or [whenever any city borough incorporated town or township shall singly or jointly with other municipalities or townships or both] (c) has entered or shall hereafter enter into any contract with any authority established in accordance with law any private corporation for the construction of sewers sewerage systems or sewage treatment works or for the furnishing of sewer sewerage or sewage treatment service or both for its or their benefit and the benefit of the inhabitants thereof such [city borough incorporated town or township] municipality may provide by ordinance or resolution enacted either before or after the acquisition or construction thereof or the entry into such contract for the imposition and collection of an annual rental rate or charge for the use of such sewer [Sewerage] sewerage system or sewage treatment works from the owners of and the users of water in the property served or to be served by it whether such property is located within or without the corporate limits of such [city borough town or township] municipality Such sewer sewerage or sewage treatment rental rate or charge may be imposed and collected in any of the above enumerated cases irrespective of the existence or nonexistence of any indebtedness incurred or any non-debt revenue bonds issued in connection with such sewer sewerage system or sewage treatment works or whether or not any such indebtedness or non-debt revenue bonds are contemplated

The annual rental rate or charge so imposed shall be a lien on the properties served and such liens may be filed in the office of the prothonotary and collected in the manner provided by law for the filing and collection of municipal claims

Section 2 Any such annual rental rate or charge imposed by any such municipality may be such sum as may be sufficient to meet any or all of the following classes of expense (a) the amount expended annually by the [city borough incorporated town or township] municipality in the operation maintenance repair alteration inspection depreciation relocation reconstruction replacement [sewerage] sewerage system or sewage treatment works including the treatment and disposal of industrial wastes improvement or other expenses in relation such sewer and the disposal of any storm water or surface drainage and including the expenses of the treasurer in collecting all sewer sewerage and sewage treatment rentals rates and charges and the allocation of any other services and supplies in relation to such sewers sewerage systems or sewage treatment works and including sums expended for minor extensions and additions (b) such annual amount as may be necessary to provide for the amortization of [the] any indebtedness incurred or [the] non-debt revenue bonds issued by the [city borough incorporated town or township] municipality in the construction or acquisition of such sewer [sewerage] sewerage system or sewage treatment works and interest thereon in order that said improvements may become self-liquidating or as may be sufficient to pay the amount agreed to be paid annually

under the terms of any contract with any authority or private corporation furnishing sewer sewerage or sewage treatment service to such [city borough town or township] municipality or as may be sufficient to pay the lease rental under an agreement with an authority (c) the amount expended annually for designing new or additional sewers sewerage systems and sewage treatment works and for paying during the period of design and construction thereof of the interest sinking fund and other requirements of any bonds or other evidences of indebtedness issued or incurred to finance such design and construction and (d) sufficient to establish a margin of safety of ten per centum of the total annual estimated expenditures for such purposes Any unused surplus from any preceding year shall be paid into the fund accruing from said rentals rates or charges and whenever the amount in said [funds] fund exceeds the said margin of safety of ten per centum the excess shall be paid into the sinking fund if any otherwise the same shall accumulate and be available for any of the purposes enumerated in clauses (a) and (c) of this section The amount required for sinking fund and interest shall be paid into the sinking fund and the amount so paid including any excess as above provided shall not be used for any other purpose unless consent to do so be given by the holders of such bonds or other evidences of indebtedness The said annual rental or whatever charge shall be decided upon by the [city borough incorporated town or township] municipality shall be apportioned equitably among the properties served by the said sewer [sewage] sewerage system or sewage treatment works

It is not intended by this act that a sewer sewerage or sewage treatment rental or charge may be imposed by a municipality only in cases where there shall exist or be in contemplation (a) an indebtedness of the municipality incurred in connection with the sewer sewerage system or sewage treatment works or (b) non-debt revenue bonds issued therefor or (c) a contract with any authority or private corporation furnishing or undertaking to construct facilities with which to furnish sewer sewerage or sewage treatment services sewer rentals rates or charges may be imposed and collected for any or all of the purposes enumerated in clauses (a) and (c) of this section and may or may not include the purpose provided for by clause (d) without making any provision for any of the purposes enumerated in clause (b) of this section

Section 2 Said act is hereby further amended by adding after section two thereof twelve new sections to read as follows

Section 3 Whenever any authority established in accordance with law has wholly or partially constructed or completed or shall hereafter wholly or partially construct or complete any sewer sewerage system or sewage treatment works or shall have acquired or shall hereafter acquire the same such authority may provide by resolution adopted either before or after the acquisition or construction thereof for the imposition and collection of an annual rental rate or charge for the use of such sewer sewerage system or sewage treatment works from the owners of and the users of water in the property served or to be served by it such rental rate or charge may be imposed and collected in any of the above enumerated cases irrespective of the existence or nonexistence of any indebtedness incurred or any revenue bonds issued in connection with such sewer sewerage system or sewage treatment works or whether or not any such indebtedness or revenue bonds are contemplated

The annual rental rate or charge so imposed shall be a lien on the properties served and such liens may be filed in the office of the prothonotary and collected in the manner provided by law for the filing and collection of municipal claims

Section 4 Any such annual rental rate or charge imposed by any authority shall be determined exclusively by it and may be such sum as may be sufficient to meet any or all of the following classes of expense (a) the total annual organization and administrative expenses of the authority of whatever nature and kind (ab) the amount

expended annually by the authority in the construction improvement repair maintenance and operation of its facilities and properties including the treatment and disposal of industrial wastes and the disposal of any storm water or surface drainage and including sums expended for minor extensions and additions (c) such annual amount as may be necessary for the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations (d) such annual amount as may be necessary to fulfill the terms and provisions of any other agreements (e) the amount expended annually for designing new or additional sewers sewerage systems and sewage treatment works and for paying during the period of design and construction thereof of the interest debt service and other requirements of any notes bonds or other evidence of indebtedness issued or incurred to finance such design and construction and (f) sufficient to establish a margin of safety of ten per centum of the total annual estimated expenditures for such purposes any unused surplus from any preceding year shall be paid into the fund accruing from said rentals rates or charges and whenever any amount in said fund exceeds the said margin of ten per centum the excess shall be paid into the debt service fund if any otherwise the same shall accumulate and be available for any of the purposes enumerated in clauses (a) (b) (d) and (e) of this section The amount required for the interest debt service fund and other requirements of all outstanding notes bonds or other evidences of indebtedness shall be paid in to the debt service fund and the amount so paid including any excess as above provided shall not be used for any other purpose unless consent to do so be given by the holders of such notes bonds or other evidence of indebtedness

It is not intended by this act that a sewer sewerage or sewage treatment rental rate or charge may be imposed by an authority only in cases where there shall exist or be in contemplation an indebtedness of the authority incurred in connection with the sewer sewerage system or sewage treatment works or revenue bonds issued therefor sewer sewerage and sewage treatment rentals or charges may be imposed and collected for any or all of the purposes enumerated in clauses (a) (b) (d) and (e) of this section and may or may not include the purpose provided for by clause (f) without making any provision for any of the purposes enumerated in clause (c) of this section

Section 5 It shall be lawful for any municipality to execute such agreements and contracts with an authority undertaking to provide sewer sewerage or sewage treatment service to such municipality and its inhabitants as may be deemed necessary or advisable to grant convey lease or transfer to such authority its water supply system sewers sewerage system sewage treatment works and appurtenant facilities and any improvements extensions and additions thereto and to assign to such authority its power to impose rentals rates and charges for the use thereof

It shall also be lawful for any municipality or authority which shall impose any rentals rates or charges for water or water service or for the use of any sewer sewerage system or sewage treatment works to use the proceeds thereof to pay currently during the period of design and construction of new or additional sewers sewerage systems or sewage treatment works all expenses incident to such design including in the case of an authority all of its organization administrative and other expenses of whatever nature and the interest sinking fund or debt service fund and other requirements of any notes bonds or other evidences of indebtedness issued or incurred or to be issued or incurred by the municipality or authority for financing the construction thereof

Section 6 Any municipality and if consent to do so has first been obtained from the municipality involved any authority undertaking to abate stream pollution may impose and collect during the period of design and con-

struction of new or additional sewers sewerage systems or sewage treatment works special assessments to be used for paying currently all expenses incident to the design of such new or additional sewers sewerage systems and sewage treatment works including in the case of an authority all of its organization administrative and other expenses of whatever nature and the interest sinking fund or debt service fund and other requirements of any outstanding notes bonds or other evidences of indebtedness issued or incurred or to be issued or incurred by the municipality or authority for financing the construction thereof such special assessments may be imposed and collected in accordance with the provisions of this act and shall be a lien on the properties affected such liens may be filed in the office of the prothonotary and collected in the manner provided by law for the filing and collection of municipal claims

Section 7 (a) Water utilities are hereby authorized as to their water customers to act as the billing and collecting agents of any municipality or authority imposing upon such customers any rentals rates or charges for the use of any sewer sewerage system or sewage treatment works or assessments for the design and construction of any sewer sewerage system or sewage treatment works for the future use of such customers as authorized by this act or by any other law upon request of any such municipality or authority and in accordance with its instructions the water utility may include with its own bills for water or water service rentals rates and charges for sewer sewerage and sewage treatment service and special assessments for the design and construction of any projected sewers sewerage systems and sewage treatment works such added rentals rates charges and assessments shall be set forth separately from the charge for water or water service but both shall be payable to and collected by such water utility which shall at least quarter-annually turn over the moneys it has collected to the municipality or authority which shall have imposed such rentals rates charges or assessments

(b) If any customer of a water utility shall neglect or fail to pay any rental rate charge or assessment for sewer sewerage or sewage treatment service or for the design and construction of any sewer sewerage system or sewage treatment works for a period of thirty days from the due date thereof such water utility is hereby authorized at the request and direction of the municipality or authority imposing such rental rate charge or assessment to shut off the supply of water to such customer until all such due rentals rates charges and assessments together with any penalties and interest thereon shall be paid if such municipality or authority shall also furnish water or water service to any person such municipality or authority is hereby authorized to shut off the supply of water to such person as herein set forth

(c) Such municipality or authority shall pay to every such water utility the reasonable clerical and other expenses incurred by it in providing such billing collecting and shut off services and the estimated loss of revenues resulting from such shut-off if a dispute shall arise between any such water utility and a municipality or authority regarding the cost of such services or the amount of such revenues lost such dispute may be submitted by either party to the Pennsylvania Public Utility Commission whose decision unless reversed on appeal by the Superior Court shall be final but this act shall not be construed to grant to the Pennsylvania Public Utility Commission any other regulatory power or jurisdiction whatsoever over municipalities or authorities

Section 8 As the proper treatment and disposal of sewage and industrial wastes are vital to the health and well-being of the inhabitants of the Commonwealth and to the purity of its waters it is the declared policy of the Commonwealth of Pennsylvania that the proper treatment and disposal of sewage and industrial wastes are complementary to the supply of water and that the use of water by any person entails the obligation to provide industrial wastes resulting therefrom in such manner as

for or pay the cost of disposing of the sewage and may be required by law including payment of rentals rates charges and assessments imposed by the municipality or an authority for the use of or for designing and financing the construction of sewers sewerage systems and sewage treatment works for the abatement of pollution all rentals rates and charges for the use of sewers sewerage systems and sewage treatment works and all special assessments for the cost of designing and financing the construction of projected sewers sewerage systems and sewage treatment works authorized by this act or by any other law may therefore be imposed upon and if so imposed shall be payable by the person using water in or responsible under any law for payment of the water bills for water supplied to property which is or will be connected to any sewer sewerage system or sewage treatment works for the use of which or for the design and financing of construction of which such rentals rates charges and assessments are imposed where such person is not the owner of such property the owner shall also be liable for the payment of such rentals rates charges and assessments

Such rentals rates charges and assessments the amount of which may be fixed or altered exclusively by the municipality or authority shall be reasonable and uniform throughout the area served or to be served and may be supplied to all properties which are or will be served based upon the volume of water currently used in or by the sewers sewerage systems or sewage treatment works or upon the estimated volume of water in or the flat rate charges for water supplies to such properties or may be any fixture or other method of flat rate assessment such rentals rates charges and assessments may as to commercial and industrial properties be based also upon the nature and character of the sewage or industrial wastes discharged therefrom in fixing such rentals rates charges or assessments classification of users may be made with graduated rentals rates charges or assessments determined by the character of the user and the quantity kind and nature of the use

Any person questioning the reasonableness of any such rental rate charge or assessment or questioning his liability for the payment thereof may within sixty days after the imposition thereof upon him bring suit against the municipality or authority in the court of common pleas which shall have exclusive jurisdiction to determine the controversy appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

Section 9 The rights powers and privileges granted to authorities by this act shall be in addition to and not in limitation of those granted by any other law and shall be construed to enlarge and not to reduce or limit the rights powers and privileges of authorities

Section 10 The Commonwealth of Pennsylvania does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the notes bonds or other evidences of indebtedness to be issued by any municipality or authority for the design construction extension improvement or enlargement of any sewer sewerage system or sewage treatment works or part thereof that the Commonwealth of Pennsylvania will not limit or alter the rights hereby vested in the municipality or authority until all notes bonds or other evidences of indebtedness at any time issued together with the interest thereon are fully met and discharged the Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the design construction extension improvement or enlargement of any such project or any portion thereof the Commonwealth of Pennsylvania will not alter or limit the rights and powers of the municipality or authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the municipality or authority and any such Federal agency and the municipality or authority

shall continue to have and may exercise all powers herein granted so long as the same shall be necessary to desirable for the carrying out of the purposes of this act and the purposes of the United States in the design or construction or improvement or enlargement of the project or such portion thereof

Section 11 It is an intent and purpose of this act that municipalities and authorities undertaking to abate stream pollution be enabled to obtain sufficient revenues or income during the period of design and construction of any new or additional sewer sewerage system or sewage treatment works to pay currently all organization administrative engineering legal financing and other expenses incurred in connection therewith until such time as rentals rates and charges may be imposed and collected for sewer sewerage or sewage treatment service after such sewer sewerage system or sewage treatment works shall have been completed and put in operation

Section 12 In order to protect its investment and safeguard the income-producing ability of its facilities any municipality or authority is hereby authorized to determine which industrial wastes will or may damage the structures of its sewers sewerage systems or sewage treatment works or interfere with the proper functioning of its sewage treatment works such municipality or authority system of industrial wastes which it deems harmful and is hereby authorized to notify any person to discontinue the discharge into any municipal sewer or sewerage is hereby empowered to disconnect the waste outlet of the offending person from such municipal sewer or sewerage system the discharge by any person of such industrial wastes into such municipal sewer or sewerage system after receiving notice to discontinue such discharge is hereby declared to be a nuisance and shall be punishable and abatable as provided by law

Section 13 As used in this act the following words and phrases shall have the meanings ascribed to them in this section unless the context clearly requires otherwise

(a) "Municipality" shall mean any county city borough town or township

(b) "Person" shall mean any natural person copartnership association private corporation municipality as herein defined or other public corporation authority and the Commonwealth of Pennsylvania and the Federal Government or any agency thereof

(c) "Sewage Treatment Works" shall be synonymous with "Sewage Treatment Plant" as used in other legislation and shall mean and include a plant or plants for treating and disposing of sewage and industrial wastes and the intercepting and transporting sewers pumping stations and other portions of the sewerage system appurtenant to such plant or plants but shall not be construed to include the lateral main or trunk sewers or other structures appurtenant to the sewage collecting system

(d) "Water Utility" shall be construed to include all municipalities authorities and public utility companies engaged in the business of supplying water or water service

Section 14 The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act it is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 3 Sections three and four of said act are hereby amended to read as follows

Section [3] 15 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section [4] 16 This act shall become effective immediately upon its final enactment

Section 4 The provisions of these amendments shall not apply to cities of the first class or to any authorities operating in cities of the first class

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, because of the great im-

portance of the measure that is before the House, and because there has been a great amount of misunderstanding on the part of many Members of the House as to the provisions of this measure, I feel it is my duty to say a few words in reference to it.

In the first place it amends the sewer rental act passed in 1935 and amended, I think, twice since that date. It is in the interests of the clear streams legislation program first instituted in 1937 and vigorously pursued by the Martin administration, and I believe will be by this administration as soon as there is an opportunity to put into effect legislation that has been passed in this House.

We have heard very little in this House with reference to clear streams or stream pollution contrary to what happened in 1945 when the gentleman from Montgomery, Mr. Brunner, had some very important legislation to that effect.

I might say that sewer rental provisions are in all of the codes including the third class city code, the first class township code, the second class township code and the borough code, and are in the provisions of the bills passed by you in this session of the Legislature, the borough code and the second class township code. Therefore, the idea of a sewer rental is not a new idea. It is a very common idea in the United States, existing in most of our states and widely used by a great many of the municipalities in the Commonwealth of Pennsylvania. In fact in the pamphlet published by the Department of Internal Affairs you will find an extensive discussion of the financing of sewers by sewer rentals. If our smaller municipalities and many of our larger ones are to be able to carry out the program for cleaning up our streams,—and remember that since the municipalities of Pennsylvania are under orders now from the Sanitary Water Board to construct sewers, sewage systems and sewage treatment works, they must have legislation such as this which will enable them to use sewer rentals in most instances.

I would sum up by saying that in at least 75 percent or more of the communities in the State this will be necessary in order to finance their sewerage program. Therefore in this legislation we have an opportunity to clarify the provisions of the sewer rental law and in addition to that there have been given certain opportunities to municipalities and to authorities, to municipalities, to levy rentals under certain conditions where there is a necessity to plan and to design and to construct sewage systems in advance of the actual service being rendered to the municipality.

There are many lawyers who have looked askance at this problem because they have doubted the legality of the provision that would permit the charging of a sewer rental in advance of the design and construction, but this provision is in the interest of the consumer. Let me explain that in this way. If you are to construct a sewerage system, and this again is a collection system and sewerage disposal plant, you have to have designs or engineering, and it is the first problem of a municipality to find money for that purpose.

In the second place, you have to have money for construction. If a municipality does not have borrowing capacity, it must then go into the market for a loan, and if it is an authority it must go into the market for a loan, and the only way you can support that loan is as a se-

liquidating proposition. Therefore if you borrow on a construction loan in advance of the actual uses you will find that you have to pay not only higher rates in interest but you will have to pay out of the principal of the money which you borrow—you will have to pay the interest and the amortization on the loan during the time that you are constructing before you can actually rent the service. That means that in the end it will cost the consumer a greater amount of money.

Mr. Speaker, I could go on for a long time with this discussion but I have before me a statement sent to me by Mr. Harrington Adams, Deputy Attorney General of Pennsylvania, who did a large part of the drafting work on House Bill 551.

Mr. Adams says:

"This bill amends the Act of July 18, 1935, P. L. 1286, generally known as the 'Sewer Rental Law.' The amendments have two objectives: (1) To clarify certain provisions as to which legal questions have been raised by recent court decisions. (2) To enable a political subdivision or a number of political subdivisions acting jointly or a municipal authority to more readily abate stream pollution caused by sewers. This legislation is permissive and enables municipalities and authorities to finance, design and construct sewer systems and facilities to meet their obligations under the Stream Clearance Legislation in an economical and efficient manner.

"More specifically these amendments authorize municipalities and authorities to impose rates and charges for the use of existing sewers and for the purpose of designing and financing construction of sewage systems, sewage treatment plants and other related facilities.

"These amendments authorize authorities to act for municipalities in abating pollution. In furtherance of this, municipalities are authorized to convey to such authority their water supply systems, sewers, water systems and sewage treatment works.

"In order to reduce cost of operation any municipality or authority is authorized to arrange with water utilities for the billing and collecting of rentals, rates or charges. These charges may be added to the water bills. The water utilities are authorized to shut off the water supply for failure to pay these charges and are reimbursed for any clerical and other services performed for the authority or municipality. The Pennsylvania Public Utility Commission is given authority to settle disputes between the municipality or authority and the water utility.

"The rentals, rates, charges and assessments are required to be reasonable and uniform and may be based upon the volume of water used, flat rate charges or by fixture. Classification of users may be made with graduated rentals, rates, charges of assessments determined by the character of the user and the quantity, kind and nature of the uses. These rents may be challenged as to reasonableness in the Court of Common Pleas with an appeal to the Superior Court.

"Authority is given to municipalities or authorities to prohibit the discharge of industrial waste into sewage systems which might damage the structures of the sewers or sewage treatment works.

"These amendments to the Sewer Rental Law do not apply to cities of the first class or to any authorities operating in cities of the first class. The Law as to these cities is now fairly well settled and it is felt that nothing should be done that might disturb the law or the court decisions which have been made thereunder. Very truly yours, Harrington Adams, Deputy Attorney General."

Mr. SPROUL. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. SPROUL. Mr. Speaker, I have always gone along with an Authority bill. In fact our township is a member of an Authority of which Mr. Turner is the solicitor.

On page 12, beginning with line 6, may I ask the gentleman if it is not possible for a sewer rental to be charged for a number of years before an indebtedness may be incurred for the construction of the sewer, thereby having possibly the rentals paying for part of the construction on that sewer during any number of years, say five or ten years?

Mr. TURNER. Mr. Speaker, in reply to the gentleman from Delaware, Mr. Sproul, I would say what I tried to say earlier over the noise in the House, and what Mr. Adams says in his communication which I read during the noise of the House—

Mr. SPROUL. Mr. Speaker, I tried to get it all.

Mr. TURNER. Mr. Speaker, I said that it was possible that this law provided that a sewer rental could be levied in advance of the design and construction of a sewer for that purpose.

Mr. SPROUL. I understand that part, Mr. Speaker.

Mr. TURNER. Mr. Speaker, and that that was in the interests of the consumer, in that it reduced the cost, the ultimate cost, to the consumer.

I am told by the representative of the Allegheny County Sanitary Authority that that means in their construction program twenty-five million dollars of savings to the consumers. I would say to you that in our own county of Delaware that provision has no effect because the sewer authority—the gentleman referred only to authorities,—and of course this bill applies to both municipalities and authorities, and that the municipalities that have sewage disposal plants to construct except in the southwest corner, have already paid for their planning, and so their lines and system are so well advanced that that is not a problem so far as we are concerned in Delaware County.

Mr. SPROUL. Mr. Speaker, I only feel this, and say again that you can continue to levy sewer rentals and that rental may show up at a later time as a lien after a number of years before the indebtedness is incurred under this bill. There is no limit.

Mr. TURNER. Mr. Speaker, the gentleman is a township commissioner and a commissioner of a township of the first class and I think he has been a member of a township commission for a good many years. I would like to ask the gentleman whether he thinks he would last very long with the township if sewer rentals were charged for a great many years and nothing was constructed by his body.

Mr. SPROUL. Mr. Speaker, I do not, but I believe some limit should be imposed in legislation so that it would be impossible to do that. That is the only point I am trying to make. I am not trying to be facetious. That will be all.

Mr. TURNER. Any further questioning?

Mr. SPROUL. No, that was the only point I desired to make. My question was that you could continue to levy sewer rentals.

Mr. TURNER. Mr. Speaker, that question was paying sewerage rental if it is not constructed.

Mr. BROWN. Mr. Speaker, I do not believe the gentleman from Delaware, Mr. Turner, answered directly the question of the gentleman from Delaware, Mr. Sproul, which is a very serious question in this bill, and I would like to ask the gentleman from Delaware, Mr. Turner, if he believes that a lien could be filed against a property owner and his property sold for a sewer rental lien, the benefits of which he never received. The fact that commissioners may not do it because it is not politically expedient is not the question. The question is can a lien be filed against the owner of the property for sewer rentals from which he never received any service.

Mr. TURNER. Mr. Speaker, in reply to the gentleman from Allegheny, Mr. Brown, I would say I thought I had primarily made the statement, and I certainly would be glad to answer it if he thinks it is necessary now by again saying that this bill provides that a sewer rental can be charged in advance of service for the purpose of design and construction, and that in accordance with the sewer rental law of 1935, and in accordance with the provisions in all of the codes a lien could be filed for the non-payment of a sewer rental bill. I think no one who reads this bill can deny that that is the fact and that that is true. My only answer to Mr. Brown further than that is the same answer which I gave to Mr. Sproul, which I think is the answer that should be given, and that is, first, that this provision is in the interests of economy and, secondly, I do not believe that any lien would be filed for a sewer rental where the municipality levied it and then failed to build the sewer.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, supposing a man owns a property in a municipality and you charge him with a sewer rental for a period of three or four years, and did not produce any sewer, and then sold the property, would he be allowed to add that to the price of the property?

Mr. TURNER. Mr. Speaker, that would be a matter of agreement between the man who buys and the man who sells.

Mr. LOVETT. That will be all, Mr. Speaker. It seems to me as though we have got the horse ahead of the cart or the cart ahead of the horse, I don't know which, but I do not think this is good legislation.

The SPEAKER. Did the Chair understand that the gentleman is confused?

Mr. LOVETT. A little, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Aaronson,	Getchey,	McMillen,	Sax,
Barrett,	Gibson,	Mikula,	Scanlon,
Baumunk,	Goff,	Miller,	Serrill,
Beech,	Goodling,	Mills,	Shoemaker,
Bender,	Gorman,	Mintess,	Simons,
Bentzel,	Graybill,	Mohr,	Smith, C. C.,
Bloom,	Greer,	Mooney,	Smith, C. M.,
Boies,	Gyger,	Moore, C. E.,	Snider,
Bonawitz,	Hall,	Moore, H. A.,	Sollenberger,
Boorse,	Haller,	Morrison,	Sorg,

Bower,	Haudenshield,	Murray,	Stimmel,
Breisch,	Helm,	Najaka,	Stockham,
Brice,	Henry,	Naumann,	Stonier,
Brunner,	Hewitt,	Neff,	Stuart,
Cadwalader,	Hoopess,	Nelson,	Tahl,
Clevenger,	Horan,	O'Connor,	Thomassy,
Cole,	Imbt,	O'Dare,	Thompson,
Cook,	Jennings,	O'Donnell,	Tittle,
Cooper,	Johnson,	O'Neill,	Tompkins,
Cordier,	Johnston,	Orban,	Toomey,
Costa,	Jump,	Patten,	Turner,
Crowley,	Kean,	Pichney,	Upshur,
Dague,	Kelley,	Pickens,	Vaughan,
Dalrymple,	Kemp,	Powers,	Verona,
Davison,	Kent,	Price,	Wachhaus,
De Long,	Kilne,	Propert,	Wagner,
Demech,	Kohl,	Ragot,	Walton,
Dennison,	Kratz,	Readinger,	Waterhouse,
Deputy,	Kurtz,	Reese, D. P.,	Watkins,
Dix,	Laughner,	Reese, R. E.,	Watson,
Dye,	Lee,	Reilly, J. M.,	Weiss,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Erb,	Livingston,	Richter,	Weescott,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Madigan,	Robertson,	Yeakel,
Flack,	Mazza,	Rose,	Yester,
Fleming,	McCormack,	Rowen,	Young,
Foor,	McCosker,	Royer,	Lichtenwalter,
Frost,	McKinney,	Sarra,	Speaker.
Gallagher,			

NAYS—30

Andrews,	Ewing,	Lyons,	Sproul,
Bane,	Greenwood,	Madden,	Stank,
Brown,	Hocker,	Mihm,	Swope,
Bucchin,	Hoffman,	Needham,	Waldron,
Capano,	Jones,	Petrosky,	Wheeler,
Chudoff,	Kirley,	Polaski,	Wolf,
Cochran,	Layer,	Schuster,	Yetzer,
Evans,	Lovett,		

NOT VOTING—15

Cassidy,	Guthrie,	Myers,	Trout,
Chervenak,	Krise,	Reagan,	Wallin,
Elder,	McCullough,	Root,	Weldner,
Griffiths,	McDonald,	Scott,	

The majority required by the Constitution having vote in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 800, as follows:

An Act empowering cities of the second class cities of the second class A cities of the third class borough towns townships of the first class school districts of the second class school districts of the third class school districts of the fourth class to levy assess or collect or to provide for the levying assessment or collection of certain additional taxes for general revenue purposes authorizing the establishment of bureau and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The duly constituted authorities of cities of the second class cities of the second class A cities of the third class borough towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class shall have the authority by ordinance or resolution for general revenue purposes to levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such

political subdivision as it shall determine except that such local authorities shall not have authority by virtue of this act to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a state tax or license fee nor have authority to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission nor have authority except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a state tax if subsequent to the passage of any ordinance or resolution under the authority of this act the General Assembly shall impose a tax or license fee of any privilege transaction subject or occupation or on personal property taxed by any such political subdivision hereunder the act of assembly imposing the state tax thereon shall automatically vacate the ordinance or resolution passed under the authority of this act as to all taxes accruing subsequent to the end of the current fiscal year of such political subdivision It is the intention of this section to confer upon such political subdivision the power to levy assess and collect taxes upon any and all subjects of taxation which the Commonwealth has power to tax but which it does not now tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth does hereafter tax or license shall automatically terminate at the end of the current fiscal year of the political subdivision

Section 2 Prior to the passage of any ordinance or the adoption of any resolution imposing a tax or license fee under the authority hereunder granted such political subdivision shall give notice of the intention to pass such ordinance or adopt such resolution Such notice shall be given in addition to all other notices required by law to be given and shall set forth the substantial nature of the tax or license fee to be imposed by the proposed ordinance or resolution Publication of such notice shall be made by advertisement once a week for four weeks in a newspaper of general circulation within such political subdivision if there is such newspaper and if there is not then such publication shall be made in a newspaper of general circulation within the county in which the advertising political subdivision is located

Section 3 Any such political subdivision is hereby authorized to provide by ordinance or resolution for the creation of such bureaus or the appointment and compensation of such officers clerks collectors and other assistants and employees either under existing departments or otherwise as may be deemed necessary for the assessment and collection of taxes imposed under authority of this act

Section 4 Payment of any tax to any political subdivision pursuant to an ordinance or resolution passed or adopted prior to the effective date of this act shall be credited to and allowed as a deduction from the liability of taxpayers for any like tax respectively on salaries wages commission other than compensation or on net profits of business professions or other activities and for any income tax imposed by any other political subdivision of this commonwealth under the authority of this act

Payment of any tax on salaries wages commissions other compensation or on net profits of businesses professions or other activities to a political subdivision by residents thereof pursuant to an ordinance or resolution passed or adopted under the authority of this act shall be credited to and allowed as a deduction from the liability of such persons for any other like tax respectively on salaries wages commissions other compensation or on net profits of businesses professions or other activities imposed by any other political subdivision of this Commonwealth under the authority of this act

Payment of any tax on income to any political subdivision by residents thereof pursuant to an ordinance

or resolution passed or adopted under the authority of this act shall to the extent that such income includes salaries wages commissions other compensation or net profits of businesses professions or other activities but in such proportion as hereinafter set forth be credited to and allowed as a deduction from the liability of such persons for any other tax on salaries wages commissions other compensation or on net profits of businesses professions or other activities imposed by any other political subdivision of this Commonwealth under the authority of this act

Where a credit or a deduction is allowable in any of the several cases hereinabove provided it shall be allowed in proportion to the concurrent periods for which the taxes are imposed by the respective political subdivisions but not in excess of the amount previously paid for a concurrent period

Section 5 Any tax imposed under this act shall not be subject to any limitations under existing laws as to rate or amount

Section 6 Any such political subdivision shall have power to prescribe and enforce penalties for the nonpayment within the time fixed for their payment of taxes imposed under authority of this act and for the violations of the provisions of ordinances or resolutions passed under authority of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I do not feel that we should pass this bill over lightly. In my memory as a Democrat my party has always been opposed to a wage tax, and as I understand this bill it will allow a wage tax. In fact I think that the greatest revenue would come from a wage tax.

If I may have your indulgence for a few moments, I will read a little item from the Wilkes-Barre Times Leader, which is an independent paper:

"A vote on the floor of the State House of Representatives on the proposal to permit municipalities and school districts to levy a wage tax is due on Monday. Any member of the General Assembly, who votes for that measure, brands himself as an enemy of labor and should be marked for defeat at the next election. Not only that, but the majority party should be held accountable.

"The facts should be made clear now, so no alibis will be attempted after the damage is done.

"This is the most vicious legislation that has ever been proposed in Harrisburg, so far as the toiler is concerned. It means that the clerk in the store, the office worker, the miner, the mill employee—all will be required to pay tribute from their pay envelopes at the very moment the Federal government, through Congress, is trying to provide relief from the heavy burdens.

"A wage tax, unlike the income tax, penalizes the individual in the lowest brackets as well as the highest. It can make no exceptions.

"This outrageous law cannot be justified under any circumstances. If that is the only way municipalities and school districts can keep going, then they should be required to curtail services, no matter how vital they may appear to be. Absolutely no public service is worth this price the public is asked to pay in the form of a wage tax.

"In Luzerne County, working men and women and their families constitute the vast majority of voters. They sent both their Representatives and Senators to Harrisburg to promote the interests of constituents. Should any Representative or any Senator betray the people by voting for this wage tax program, he should be dealt with in no uncertain terms as befits a traitor or double-crosser.

"Let us repeat for emphasis:

"A wage tax should not be permitted for any reason."

Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Does the gentleman desire to interrogate the gentleman from Montgomery, Mr. Brunner, or the gentleman from Lackawanna?

Mr. LOVETT. The gentleman from Montgomery, Mr. Speaker.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask my colleague under this particular act which allows a wage tax, prior to social security companies gave voluntary pensions to their employees. These pensions are very small, ranging anywhere from \$15 to \$75. Under a wage tax which would be enacted under this bill, would that be taxable, would that money that they received from their companies be taxable?

Mr. BRUNNER. Mr. Speaker, in my opinion, in answer to the gentleman, I do not think it would be taxed.

Mr. LOVETT. Does the gentleman know that that money is now taxable under the income tax act?

Mr. BRUNNER. I do not, but if that is the case, then there is a probability that it would be taxed under a wage tax.

Mr. LOVETT. Mr. Speaker, may I inform the gentleman that that money is taxable under the income tax act and would in my opinion be taxable under this bill.

Mr. BRUNNER. I agree with the gentleman, Mr. Speaker.

Mr. LOVETT. That will be all.

Mr. Speaker, we now have in Pennsylvania many men who are receiving very small pensions that have been granted to them prior to the time of the social security act. These men are finding it almost impossible today to keep body and soul together to meet their taxes on their property and the other taxation that comes before them. We are now in Harrisburg allowing legislation like this, that would put a greater burden on those people. I say to you, Members of this House, I do not think that you members on the other side of this House want to support this kind of legislation.

I have another little item that I cut from a newspaper in Philadelphia. Mr. Speaker, I want to show you the trend of House Bill 800 and what we are trying to maneuver into. This little item says:

"Tax Shift Urged by '70' Committee

"Walter P. Miller, Jr., chairman of the Committee of Seventy, yesterday called upon David W. Harris, Republican City Committee chairman, to abandon his advocacy of tax measures now before the State Senate, providing for reinstatement of the mercantile tax which was abolished in 1943 and the increase of personal property taxes from four to eight mills."

"Miller argued that such taxes are difficult and costly to collect, and that it is extremely doubtful if they will raise sufficient revenue to meet the financial problems confronting the Board of Education. As substitutes, he suggested increasing city payroll taxes one-fourth of one per cent, applicable only to residents of Philadelphia, and the levying of a per capita tax ranging from \$1 to 5. He said either one

of these taxes would raise approximately \$6,000,000 a year."

My friends, that is exactly where we are going; we are going into a wage tax, not only in Philadelphia but throughout the state of Pennsylvania. While Congress is hollering about income taxes and a reduction of income taxes, we in Pennsylvania are in reverse and even doing worse than income taxes. We are now laying the ground work for a wage tax in Pennsylvania for every municipality.

My friends, I certainly think, while I know that a lot of you men are pledged to vote for this legislation, I feel you should give it a second thought and not allow such a tax in the state of Pennsylvania.

Mr. BRUNNER. Mr. Speaker, last week during the closing days of the session this House passed House Bill 417 with which you are all familiar. Suffice it to say it deals with State subsidies for teachers. House Bill 800 in my opinion can be classified as a companion measure because it permits your local levels of government to supplement those basic salaries by whatever means they see fit to tax.

The gentleman overlooks several facts when he criticizes House Bill 800. It is true that a wage tax can be levied under the provisions of this bill, should it become enacted into law. There are other taxes which this measure authorizes should the local representatives of the people see fit to levy them but I would like to call the gentleman's attention to a provision in this bill that requires the councilmanic body or whatever the governmental body may be of a local subdivision, to advertise publicly in the press of the county once a week for four weeks, the particular nature of any tax measure which they seek to adopt, under the provisions of this bill should it become law. I think perhaps it might be advantageous for a similar provision to be attached to other legislation at this time, but under this bill, should it become a law, the people will be made fully aware of the nature of the tax to be imposed upon them, and they certainly will hear from the people whom they represent, and I am certain that no confiscatory and no unfair tax will result. I ask the Membership to support this bill.

Mr. ANDREWS. Mr. Speaker, this bill is sired by desperation, and its dam is general confusion. It was spawned by muddled men.

It is very interesting to hear the gentleman from Montgomery say they are going to advertise in the newspapers. They tell the condemned man that he is going to be hanged, and he is hanged, and the notice did not help him any. I am very interested in hearing the gentleman from Montgomery admit that House Bill 800 in its present form is the apology which he presents on the part of the majority of this House for the mutilation of House Bill 417, because if House Bill 417 had not been mutilated this bill would not have had to take its present form.

Now, Mr. Speaker, the gentleman from Montgomery comes from a little burg, Coatesville, and it is interesting to note that once again the city slickers have put it over on the guy from the sticks. Under this bill, in Philadelphia,—they are a wise lot down there, and the House has to grow up and learn a lot if you are going to cope with that bunch—under this bill Philadelphia is

the only city in the State that has a preferred position as far as a wage tax is concerned, because under this bill Philadelphia's prior rights to levy upon the wages drawn by non-residents are confirmed. If anybody in Coatesville works in Philadelphia the wages are taxed, and the only way that Coatesville could get anything from that resident who is taxed in Philadelphia would be to boost the ante and charge a higher wage tax in Coatesville than they charge in Philadelphia. That situation does not apply in any other city in the state. The poor unfortunate situation in Pittsburgh—it did not get in the running soon enough, and so all the enterprising boroughs, if they want to, will tax wages, and the only way that Pittsburgh can get anything out of the wages earned by many, many thousands that come and use the facilities of that city is to penalize their own taxpayers by a boost of the wage tax above the level of any wage tax imposed by the boroughs.

This House bill, I say, is born in confusion. It started out as a proposition for Pittsburgh to broaden the tax base of Pittsburgh—a reasonable proposition. Then some one got the idea and said, "Me too, I am going to have my tax base broadened." Then came the third class cities and they got into this. Then somebody sold the idea of putting in boroughs and school districts, and it is the putting of the school districts into this bill and conferring upon the school boards and the authorities of our cities coordinating powers as far as taxation is concerned that raises the confusion.

You will note, Members of the House, that as far as Pittsburgh is concerned the field is divided. The city cannot tax things that the school board taxes, and the school board cannot tax things that the city taxes. The same situation prevails in Philadelphia, but in the rest of the state you hand a tax program to the school board and you hand a tax program to the council of the city and you levy a tax or a series of possible taxes, where only the courts are a refuge in the event that the actual taxation reaches the point of confiscation.

As I say, Mr. Speaker, in the matter of real estate, there are limits that you place upon the ability of the school boards to tax real estate. On these other taxables that are possible under this bill, there is no limit, and you give to a borough council, you give to a school board in boroughs unlimited taxing powers—unlimited powers. In boroughs, smaller boroughs, that power can be used for reprisals. It can be used for purposes of personal revenge. You could not do that in the case of some municipalities probably, but you would create by not defining the things the school board can tax, and not defining the things that the city council can tax. You create a situation in your body politic where each one is continually striving through the township or the school board to pass taxes to some other constituency in the community. You create situations that are so unstable and so unscientific, usually without a precedent in this Commonwealth, that I venture to prophesy that before this biennium finishes you will be called back here for a special session to repeal such iniquitous, foolish, absurd statutes and to define specifically the things that a city council can tax over and above real estate, and define specifically the things the school board can tax.

Mr. BRUNNER. Mr. Speaker, may I state briefly first of

all that I had hoped that after having served here a fifth term and the leader of the minority party having seen the returns from Montgomery County during those ten years on a State-wide basis, that the gentleman might awaken to the fact that I come from the town of Norristown in Montgomery County, although Coatesville in Chester County is a very fine place.

The gentleman argues against this bill, basing his argument upon the fact, one might say, that the people at home do not elect responsible and reliable representatives. They have the same opportunity at home with regard to them that they have with regard to us. Should we vote up here in a manner different from that in which our constituents believe to be proper we of course can be defeated and kept at home. Likewise the local representatives have to appear before their constituents to be returned to their respective offices.

After all, I feel that the borough council of Norristown, where I do come from, knows infinitely more about the details of the needs of the people of Norristown than I do sitting up here at Harrisburg. I think they are more capable to rule in such matters. Likewise the borough council of the borough of Conshohocken and the township commissioners of Plymouth Township, I say, know more about their local affairs than I, and that is more important at home than the levying of a tax or the raising of money. I have confidence in the local communities and their local representatives to do a good job. I believe House Bill 800 to be a good bill.

Mr. HOFFMAN. Mr. Speaker, addressing myself to the House on House Bill No. 800, I would like to be permitted to make a few comments.

In the first place, I am a strong believer in local home rule. I think it is the base upon which the superstructure of our government must rest. If we are not strong there we are not strong at the top, because a pinnacle can never rise higher than the measure of its breadth, and that same thing applies to government. If you don't have strong local government, if you don't have men and citizens elected by the people to represent your local interests in whom you have confidence you can hardly expect that duty to be performed with satisfaction.

The gentleman from Montgomery expressed my mind very fully and definitely. I am in favor of House Bill 800 because it sets up a base upon which the people of the municipalities, those elected by the people, can operate on the basis of sound economy, and can perform in the interests of the people, because they are closer to them in their ideals and ambitions for good government.

Now, we cannot have any government without taxation—that is apparent, and if we expect to have our government expand and progress with the times, why, we have to have courage to face those conditions and meet them in the spirit in which good government lives and thrives.

The strongest tie that connects us with our people is confidence, and I do not believe the people down in my section are going to take any advantage of House Bill 800 if it becomes an act, and perpetrate an infliction upon the people in the way of taxes that is a reflection upon their own character and their own integrity and their own usefulness to serve the public.

I think we are in a time where we have to meet the

situation in a way different from what we have done in the past. We cannot go back, we cannot stand still, we simply have to move on, and if it creates a fear in our hearts that we are going to do something that might be injurious to our personal comfort, or to our political ambition, that is one way of facing the problem, but in the larger measure in which all of us are responsible to serve the people, I believe we can take their confidence, that they will support us in that we will give them liberty and freedom and authority under the law to set up a good strong local government by which they can operate within the sphere of sound economy and move on and expand government and make it not only good but strong.

For that reason I am in favor of House Bill No. 800, because I think it is a move in the right direction, and it is the base on which local government can find security.

Mr. BANE. Mr. Speaker and Members of the House, as a new Member of this body I have listened with great interest to the arguments that have been advanced for and against House Bill 800.

The most interesting thing I have heard today is the admission on the part of the sponsor of the bill, the gentleman from Montgomery, Mr. Brunner, that it constitutes a companion measure to House Bill 417. From the debates which have occurred on the floor of this House you have already gathered the impression that I am very much interested in the welfare of our Commonwealth. I have felt for a long time that the original design, from the first time I became familiar with House Bill 800, that the sole purpose was to aid in paying the salary bills for teachers. As Mr. Andrews has pointed out, when House Bill 417 in its original phase passed this House rather than the one which it finally did take, this State has the responsibility of meeting the sum due under the provisions of that bill as originally designed.

I find that House Bill 417 has been cut to pieces, and now this House is seeking, and I charge this Assembly with seeking to pass the buck back to the local districts, which we as Members of this Assembly should have the intestinal fortitude to stand and meet, namely, that we should pass such legislation as is necessary to permit the money to be raised by the State for the meeting of those problems that confront our educational system in Pennsylvania today. Unless we pass some measure justified in form to meet the obligations of the local districts then we have failed in our duty, and I submit to you as Members of this House that House Bill 800 falls far short of meeting that obligation.

Mr. Brunner has indicated to you that he has a great deal of faith in human nature. As a lawyer and member of the bar in Fayette County for eleven years except for the time when I was in active service, I must say that my faith in human nature is not so great. In my span of life I have hardly had the time to appreciate the fact that here in this Assembly we find the justification of our majority leader's faith in human nature falling almost before its disclosure.

I refer you to the tax on cigarettes. We passed that tax, and in the debate in behalf of that tax he eulogized the people of Pennsylvania, stating that they would buy their cigarettes in Pennsylvania. We found after the levying

of the tax that human nature failed to live up to his eulogy of it and people went out of Pennsylvania to buy cigarettes. I understand there is now in the Senate a very punitive measure to prevent the people of Pennsylvania from buying out-of-state cigarettes, and that I or you or any other person who happens to have a pack of cigarettes in his possession not bearing the state stamp tax, is liable to criminal prosecution.

I submit to you, gentlemen, that that is justification for human nature. Now we have this measure, House Bill 800. It has been pointed out to you that each particular district is going to have unlimited power to tax. If certain districts are going to fall short in the revenue which they seek to derive from the privileges given them under this act, and they are permitted to find themselves in the situation of having to offset the taxes levied in other municipalities or districts, do you think for a moment, or do you have sufficient justification in human nature to believe that the district that is going to suffer is not going to raise its levy or its tax to an amount sufficient to derive the revenues necessary for its own district? I submit to you that this bill creates more confusion than any other act that has passed in this House at any time in its history.

I submit to you further that the cost of the collecting of the tax, and let me say, to be used for worthwhile purposes for which it is intended, will be far greater than any possible tax measure which this body could pass and use for the benefit of the school teachers of Pennsylvania.

House Bill 800 is a bad bill from a legal standpoint and should not be passed, and I ask the Members of the House to vote it down.

Mr. BROWN. Mr. Speaker, the gentleman from Cambria, the distinguished leader of the minority has frozen, and he sits there now waiting to heap vindictiveness upon me for what I am going to say. I am telling him now that I am not going to answer.

The gentleman has frozen this bill with his scathing denunciation that it seems to me no lawyer in this House can vote for this bill. But just like those, you know, who tread out on dangerous waters, he left himself open to attack, and David with his little stone can slay the dread Goliath in his den.

The gentleman says that it is reasonable for the city of Pittsburgh—after all the scathing denunciation and everything else that was heaped upon it, he said it was fine for the city of Pittsburgh, a reasonable proposition. Now, is the gentleman sincere when he says this is a reasonable proposition for the City of Pittsburgh and is unreasonable for the other people in the Commonwealth of Pennsylvania? While he is unfreezing—I would like if he could do it without being so bitter; if he is going to be bitter I ask him to tell me privately, if he can answer without being so bitter—why do we have to have a preference in the city of Pittsburgh? Then I might freeze up with him, but until that time I am for the bill.

And may I remind my distinguished colleague that we have voted now on numerous bills to raise salaries to send people in governmental authority to conventions, and I believe if I remember correctly, that my frozen friend from Cambria voted for one of those bills. I wonder if he cannot thaw a little bit, thaw sufficiently to let us see the light of day, and let us pay for those bills

that we passed or voted upon to increase salaries and to send certain people to conventions.

Mr. Speaker, I did not intend for my distinguished colleague to hear those remarks, and if there is any way that I can move the previous question I would like to do it, because I know I am going to be hurt. Can I move the previous question?

Mr. ANDREWS. Mr. Speaker, if the gentleman moves the previous question he will read the rest of the bills.

The SPEAKER. Did I understand the gentleman from Allegheny to move the previous question?

Mr. BROWN. No, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman from Allegheny is afraid without cause. His remarks are like the ingratitude of a dearly loved son. I have nurtured him and nursed him; I have used him as my lawyer; he is my authority on constitutional law, and I voted for some of these Pittsburgh tax raises at his earnest solicitation.

Now, I will explain to the gentleman very simply what I said was all right for Pittsburgh. He missed my point. I say in Pittsburgh you have divided the field between the school board and the Pittsburgh City Council. I say that in this bill, you are dividing the field between the school boards and the borough councils and the city councils so that there will not be a helter skelter rush for the easiest source of revenue, and that this bill will have some limitation and some reason.

The remarks of my friend from Montgomery remind me of the grave digger who was digging a grave. He was so enthusiastic in his digging of the grave that he dug it so deep that he couldn't climb out of it. There he was on a cold winter day. As he shivered in the cold along came the village drunk, and he heard this fellow holler. He went to the edge of the grave and said "What's the matter?" The man said "I'm down here; help me to get out; I am nearly frozen to death," and the drunk said "Froze to death? I know what's the matter with you; there ain't no dirt on you; you just lay down and I'll cover you up and you'll be warm."

So I say to the gentleman from Allegheny, if he will just lie down I will cover him up and he will be warm.

Mr. LOVETT. Mr. Speaker, it is nice to have a lot of fun and it's nice to do a lot of kidding and get the thing into this stage, but there was one thing said here that I feel I should answer and that is the question of home rule. I am for home rule. I think all of you men are for home rule, but I don't think we are giving home rule here. We in the Department of Education tell the school boards exactly what they can do back home. They can hardly make a move in the school board unless they comply with the Department of Education in Harrisburg, and we men pass the laws and make those restrictions.

Now, why do we talk about home rule? If you want to have home rule let us have home rule; let us not say that just when it is the right to tax people back home that we are going to have home rule. If I could only interrogate the engineers that are sitting around on the sidelines of this Legislature maybe we could get someplace. I receive telegrams from my boroughs, some of my boroughs in my district, and they say "Support House Bill 800." Where do they get their instructions? They get them from the engineers, and the sad part of it is that the poor fellows back home sitting on the councils and the

school boards don't know what they are getting their fingers into.

Some of these engineers will possibly hear about it after they get their fingers into some of this stuff. These poor councilmen possibly don't know that they have to advertise in the newspapers. All they know is that the engineers send word back home "We of the State organization are for House Bill 800." Now, that is the maneuvering, and that's the way the thing works, and I say honestly to you that if we had the sentiment of the men on the councils and on the school boards that we could possibly have a different picture here today, if we could send for those men and tell them exactly what we have in House Bill 800. I ask you again to be safe and vote against this piece of legislation.

Mr. SORG. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I will, Mr. Speaker,—no lawyer's tricks.

Mr. SORG. Is the gentleman in favor of a State-wide wage tax?

Mr. LOVETT. A State-wide wage tax, Mr. Speaker?

Mr. SORG. That is correct, Mr. Speaker.

Mr. LOVETT. I am opposed to all wage taxes, Mr. Speaker.

Mr. SORG. Is the gentleman in favor of a State-wide sales tax?

Mr. LOVETT. Possibly under certain circumstances, Mr. Speaker.

Mr. SORG. I wonder where the gentleman studied his law, Mr. Speaker?

Mr. LOVETT. I never studied law, Mr. Speaker.

Mr. SORG. The gentleman gave a pretty good lawyer's answer to that one, Mr. Speaker.

Mr. LOVETT. I thank the gentleman, I have had a lot of teaching from my colleagues.

Mr. SORG. Will the gentleman name any State-wide tax that he would be in favor of, at the present time?

Mr. LOVETT. I would be in favor of a graduated income tax in Pennsylvania, but we cannot have it; it wouldn't work.

Mr. SORG. That is all.

Mr. Speaker, I am going to vote for House Bill 800, and I am aware of the objections that might be raised to such a measure, but I realize also that we have got to face and meet our problem from the over-all angle. I realize that sooner or later we have got to have the nerve to tackle it, and one of the ways we have got to do it is that we stand here and insist that there shall always be a Pennsylvania and a strong Pennsylvania, not just one nation, not just one single government that is going to levy all the taxes and then dole them out to us. We have got to have strong local government, we have got to take this government back to the people where it belongs.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Aaronson,
Barrett,

Greer,
Gyger,

McDonald,
McKinney,

Schuster,
Scott,

Beech,	Hall,	Mintess,	Serrill,
Bender,	Haller,	Mohr,	Shoemaker,
Bloom,	Haudenshield,	Mooney,	Simons,
Boles,	Henry,	Moore, C. E.,	Smith, C. C.,
Bonawitz,	Hocker,	Moore, H. A.,	Smith, C. M.,
Boorse,	Hoffman,	Morrison,	Sollenberger,
Bower,	Hoopes,	Murray,	Sorg,
Brice,	Horan,	Naumann,	Sproul,
Brown,	Imbt,	Neff,	Stimmel,
Brunner,	Jennings,	Nelson,	Stockham,
Cadwalader,	Johnson,	O'Dare,	Stonier,
Cassidy,	Johnston,	O'Donnell,	Stuart,
Clevenger,	Jones,	Patten,	Tahl,
Cooper,	Kean,	Pichney,	Thompson,
Costa,	Kelley,	Pickens,	Tittle,
Dague,	Kemp,	Powers,	Tompkins,
Dayison,	Kent,	Propert,	Upshur,
De Long,	Kirley,	Ragot,	Vaughan,
Dye,	Kline,	Readinger,	Verona,
Efenberg,	Kratz,	Reese, D. P.,	Waldron,
Ewing,	Krise,	Reilly, J. M.,	Walton,
Feola,	Kurtz,	Reilly, W. J.,	Waterhouse,
Flsh,	Laughner,	Richter,	Watkins,
Flss,	Layer,	Robertson,	Watson,
Fleming,	Lee,	Root,	West,
Foor,	Lelsey,	Rose,	Wolf,
Frost,	Livingston,	Rowen,	Wood,
Gallagher,	Loftus,	Royer,	Yeakel,
Gibson,	McCormack,	Sarra,	Young,
Goff,	McCosker,	Sax,	Lichtenwalter,
Gorman,	McCullough,		Speaker.

NAYS—66

Andrews,	Dix,	Mazza,	Robbins,
Bane,	Elder,	McMillen,	Scanlon,
Baumunk,	Erb,	Mikula,	Snider,
Bentzel,	Evans,	Miller,	Stank,
Bucchin,	Flack,	Mills,	Swope,
Capano,	Goodling,	Najaka,	Thomassy,
Chervenak,	Graybill,	Needham,	Toomey,
Chudoff,	Greenwood,	O'Connor,	Turner,
Cochran,	Helm,	O'Neill,	Wachhaus,
Cole,	Hewitt,	Orban,	Wagner,
Cook,	Jump,	Petrosky,	Weiss,
Corder,	Kohl,	Polaski,	Wescott,
Crowley,	Livingstone,	Price,	Wheeler,
Dalrymple,	Lovett,	Reagan,	Worley,
Demech,	Lyons,	Reese, R. E.,	Yester,
Dennison,	Madden,	Riley,	Yetzer,
Depuy,	Madigan,		

NOT VOTING—9

Brelsch,	Guthrie,	Myers,	Wallin,
Getchey,	Mihm,	Trout,	Weldner,
Griffiths,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. The Chair would like to inform the Members if they will be patient a little while longer we are going to try to clear some of the bills on third reading from the desk. We are trying to get through in thirty minutes rather than come back for a later session. We hope that that meets with the approval of the Membership—remain about thirty minutes longer rather than have you come back later.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. FLEMING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

BILL INTRODUCED AND REFERRED

By Messrs. FLACK and ROBBINS.

HOUSE BILL No. 1353.

An Act providing for the regulation of mining or anthracite coal by the open pit or strip mining method and for the conversation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of strip-ping pits and leveling and planting lands affected; to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties, and making appropriations.

Referred to the Committee on Mines and Mining.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, as follows:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant overnor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employees are entitled with pay

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commission by the Executive Department thereof and the administrative departments boards commissions and ocers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative

officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' vacation leave [of absence] and sick leave not to exceed fifteen days with full pay and in special and meritorious cases where to limit the annual vacation or sick leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may [in the discretion of the head of the department or of the board or commission] be extended [but any such extension shall not be for more than fifteen days except] beyond any unused leave that may have accumulated as hereafter provided with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected Both the vacation leave and sick leave shall be cumulative under the following conditions (a) Where it has been impossible to grant to an employe all or any part of the vacation leave during the calendar year in which it is accrued such unused vacation leave may be accumulated and granted to the employe during the succeeding calendar year and (b) Unused sick leave may be accumulated not to exceed fifteen days in addition to sick leave accruing for the current calendar year and may be granted to the employe upon presentation of evidence satisfactory to the employer in instances of extended hospitalization protracted illness or serious injury This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual vacation leave and the annual sick leave [of absence] with pay shall be exclusive of Saturdays Sundays and legal holidays

And said bill having ben read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

- | | | | |
|-------------|---------------|---------------|---------------|
| Aaronson, | Gallagher, | McCosker, | Sax, |
| Andrews, | Getchey, | McCullough, | Scanlon, |
| Bane, | Gibson, | McDonald, | Schuster, |
| Barrett, | Goff, | McKinney, | Scott, |
| Baumunk, | Goodling, | McMillen, | Serrill, |
| Beech, | Gorman, | Mihm, | Shoemaker, |
| Bender, | Graybill, | Mikula, | Simons, |
| Bentzel, | Greenwood, | Miller, | Smith, C. C., |
| Bloom, | Greer, | Mills, | Smith, C. M., |
| Boles, | Griffiths, | Mintess, | Snider, |
| Bonawitz, | Guthrie, | Mohr, | Sollenberger, |
| Boorse, | Gyger, | Mooney, | Sorg, |
| Bower, | Hall, | Moore, C. E., | Sproul, |
| Brelsch, | Haller, | Moore, H. A., | Stank, |
| Brice, | Haudensfield, | Morrison, | Stimmel, |
| Brown, | Helm, | Murray, | Stockham, |
| Brunner, | Henry, | Myers, | Stonier, |
| Bucchin, | Hewitt, | Najaka, | Stuart, |
| Cadwalader, | Hocker, | Naumann, | Swope, |

- | | | | |
|------------|--------------|---------------|----------------|
| Capano, | Hoffman, | Needham, | Tahl, |
| Cassidy, | Hoopes, | Neff, | Thomassy, |
| Chervanak, | Horan, | Nelson, | Thompson, |
| Chudoff, | Imbt, | O'Connor, | Tittle, |
| Clevenger, | Jennings, | O'Dare, | Tompkins, |
| Cochran, | Johnson, | O'Donnell, | Toomey, |
| Cole, | Johnston, | O'Neill, | Turner, |
| Cook, | Jones, | Orban, | Upshur, |
| Cooper, | Jump, | Patten, | Vaughan, |
| Cordier, | Kean, | Petrosky, | Verona, |
| Costa, | Kelley, | Pichney, | Wachhaus, |
| Crowley, | Kemp, | Pickens, | Wagner, |
| Dague, | Kent, | Polaski, | Waldron, |
| Dalrymple, | Kirley, | Powers, | Wallin, |
| Davison, | Kline, | Price, | Walton, |
| De Long, | Kohl, | Propert, | Waterhouse, |
| Demech, | Kratz, | Ragot, | Watkins, |
| Dennison, | Krise, | Readinger, | Watson, |
| Depuy, | Kurtz, | Reagan, | Weidner, |
| Dix, | Laughner, | Reese, D. P., | Weiss, |
| Dye, | Layer, | Reese, R. E., | Wescott, |
| Efenberg, | Lee, | Relly, J. M., | West, |
| Elder, | Lelsey, | Relly, W. J., | Wheeler, |
| Erb, | Livingston, | Richter, | Wolf, |
| Evans, | Livingstone, | Riley, | Wood, |
| Ewing, | Loftus, | Robbins, | Worley, |
| Feola, | Lovett, | Robertson, | Yeakel, |
| Fish, | Lyons, | Root, | Yester, |
| Fiss, | Madden, | Rose, | Yetzer, |
| Flack, | Madigan, | Rowen, | Young, |
| Fleming, | Mazza, | Royer, | Lichtenwalter, |
| Foor, | McCormack, | Sarrafa, | Speaker. |
| Frost, | | | |

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 492, as follows:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the compensation and raising the maximum compensation in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section four subsection (e) twenty-fifth day of May one thousand nine hundred of section six and section seven of the act approved the thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their

right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election board election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 4 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Actions by Vote of Majority of Members Record of Proceedings Annual Report

* * * * *

(e) Each commissioner shall receive compensation at the rate of [four thousand five hundred (\$4500) dollars] five thousand five hundred dollars (\$5500) per annum except the chairman who shall receive [five thousand (\$5000) dollars] six thousand dollars (\$6000) per annum

Section 6 Employees Registrars Inspectors of Registration Duties Appointment Incompatible Offices

* * * * *

(e) Each commission may appoint a chief clerk at a compensation not exceeding [three thousand dollars (\$3000)] four thousand dollars (\$4000) per annum who shall have authority to administer oaths and to sign vouchers

Section 7 Counsel Compensation Duties The commission may employ special counsel at a compensation not exceeding [three thousand (\$300) dollars] four thousand dollars (\$4000) per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,

Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krlse,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Traut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 726, Printer's No. 810 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 763, as follows:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing maximum per diem compensation of members of the State Civil Service Commission allowable in any one year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative depart-

ments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twentieth day of March one thousand nine hundred forty-five (P. L. 44) is hereby further amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than [one thousand five hundred] three thousand dollars per diem compensation in any one year except that with the approval of the Governor such limitation on the aggregate amount of one thousand five hundred dollars shall not apply for the biennium 1943-1945 nor for the duration of the war and six months thereafter]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Hooper,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechlin,	Hewitt,	Rajaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,

Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
D-mech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fliss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1023, Printer's No. 820 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1090, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for medical examiners in lieu of medical inspectors and prescribing their duties making mandatory the employment of a school nurse providing reimbursement by the Commonwealth therefor and repealing provisions relating to medical inspections and reports of medical inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-ninth day of May one thousand nine hundred

forty-five (P. L. 1112) is hereby amended by adding after section one thousand two hundred forty-two thereof a new section to read as follows

Section 1242.1 Every school district and every vocational school district shall be paid by the Commonwealth for the school year 1947-1948 and for every school year thereafter on account of the employment of properly certificated school nurses an amount equal to one reimbursement unit for each nurse having the care of fifteen hundred or more pupils in average daily membership in the districts public schools and for each nurse having the care of less than fifteen hundred such pupils the fractional part of one reimbursement unit equal to the number of such pupils under her care divided by fifteen hundred

Section 2 Section one thousand five hundred one of said act as last amended by the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 429) and the act approved the first day of June one thousand nine hundred forty-five (P. L. 1226) is hereby further amended to read as follows

Section 1501 Every school district of the first second or third class in this Commonwealth shall [annually provide medical inspection of all the pupils of its public schools by proper medical inspectors to be appointed by the board of school directors of the district in sufficient number to conduct the required inspection in conformity with the standard requirements prescribed by the Secretary of Health for the medical inspection of schools in such district] provide medical and dental examinations in accordance with the provisions of the School Health Act and the rules and regulations promulgated thereunder as prescribed by the Secretary of Health. Every school district of the first second and third class shall also annually appoint medical examiners whose duties shall include the vaccination of children of indigent parents official re-vaccination of children having temporary vaccination certificates physical examination of children incident to the issuance of employment certificates as required by the provisions of the Child Labor Act conducting routine classroom inspections incident to the control of contagious diseases approve the return of pupils who have been absent due to a contagious disease or suspected contagious disease and such other duties as may be required by the Board of School Directors or the Secretary of Health. They shall annually make a sanitary survey of the building and grounds. Such medical [inspection] examination shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian. All such medical [inspectors] examiners shall be physicians legally qualified to practice medicine in this Commonwealth [who have had at least two years' experience in the practice of their profession] and where additional [inspection] examination of the eyes is recommended by the medical [inspectors] examiners and desired by the school boards such additional [inspection] examination may be made by ophthalmologists or optometrists as shall be determined by the medical [inspector] examiner. The physicians ophthalmologists and optometrists making such [inspections] examinations shall be paid such amounts as the boards of school directors may determine. Provided That nothing in this act shall preclude the appointment of medical health officers of municipalities as medical [inspectors] examiners in the school districts of this Commonwealth

Section 3 Sections one thousand five hundred three and one thousand five hundred eight of said act as last amended by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1226) are hereby further amended to read as follows

Section 1503 In every school district of the fourth class in this Commonwealth the State Department of Health shall provide in such manner as it may determine medical [inspection] examination for all the pupils in the public schools by proper medical [inspectors] examiners to be appointed by the Secretary of Health at the expense of said department. In the event that such department because of lack of funds is unable to provide adequate medical [inspection] examination at its expense the school

district may at its own expense provide such medical [inspection] examination or additional medical [inspection] examination. All such medical [inspectors] examiners shall be legally qualified physicians [who have had not less than two years' experience in the practice of their profession]. Such medical [inspection] examinations shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian

Section 1508 Each board of school directors or boards of school directors jointly [may] shall employ one or more school nurses who shall be graduates of accredited training schools for nurses certificated by the Department of Public Instruction as school nurses and who shall be registered in this Commonwealth with the State Board of Examiners for the Registration of Nurses and shall define their duties and any two or more school districts may jointly employ school nurses. Any school district may in any health work in which it is authorized to engage cooperate with any county city borough town or township engaged in health work

Section 4 Section one thousand five hundred fifteen of said act as added by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1226) is hereby amended to read as follows

Section 1515 [In] District Superintendents in school districts of the first second and third class [having a district superintendent and schools under the supervision of the county superintendent of schools] and County Superintendents in districts under their supervision shall set up an advisory health council to study the health needs and to assist in organizing a follow-up program. Those making the medical and dental examinations shall make a report on the remedial work which has been accomplished during the school year. This advisory council shall be composed of representatives of the medical and dental associations social organizations veterans organizations parent-teacher associations service clubs and other organizations in the area served

Section 5 Said act is hereby amended by adding after section one thousand five hundred fifteen thereof a new section to read as follows

Section 1515.1 If the record of the medical or dental examination of any child examined under the school health act discloses a condition which requires medical dental or surgical treatment and the parent or guardian states to the school authorities that he is financially unable to have a physician or dentist of his choice render such care he shall be advised that the cost of such care will be provided if application is made to the appropriate county board of public assistance which shall authorize payment for necessary medical dental or surgical care as assistance as defined in the standards rules and regulations to be established by the Secretary of Public Assistance in consultation with the Secretary of Health and the Superintendent of Public Instruction and with the approval of the State Board of Public Assistance

In instances where it appears that the parent or guardian was financially able to pay for the medical dental or surgical care for which payment was made on the authorization of a county board of assistance the department of public assistance shall have full recourse to recover the amounts thus expended from the parent or guardian liable for the support of such child as provided in the support law

Section 6 Section one thousand five hundred five of said act as last amended by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1226) is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Too: y,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarrafa,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1340, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twelve million two hundred sixty-two thousand dollars (\$12,262,000) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred and forty-seven to be by it paid to the hospitals hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such hospitals in the manner prescribed by law at the rate of five dollars and fifty cents (\$5.50) per diem for the medical and surgical

services rendered to and maintenance of persons treated in such hospitals who are entitled to free service and for each day of part pay service such proportion of five dollars and fifty cents (\$5.50) per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for free service except that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in its public ward

Abington Memorial Hospital	\$108,000.00
Adrian Hospital Association	50,000.00
Allegheny General Hospital	254,000.00
Allegheny Valley Hospital Tarentum	46,000.00
Allentown Hospital	200,000.00
Altoona Hospital	86,000.00
American Hospital for Diseases of Stomach	10,000.00
American Oncologic Hospital	24,000.00
Armstrong County Hospital	18,000.00
Barnes Simon M Memorial Hospital	9,000.00
Beaver Valley General Hospital	20,000.00
Belvedere Hospital, Pittsburgh	6,000.00
Berwick Hospital	25,000.00
Black F W Community Hospital	12,000.00
Blair J C Memorial Hospital	40,000.00
Bloomburg Hospital	46,000.00
Braddock General Hospital	56,000.00
Bradford Hospital	42,000.00
Broad Street Hospital Philadelphia	20,000.00
(Jefferson Medical College of Philadelphia successor)	
Brookville Hospital	22,000.00
Brownsville General Hospital	38,000.00
Bryn Mawr Hospital	90,000.00
Butler County Memorial Hospital	44,000.00
Canonsburg General Hospital	22,500.00
Carbondale General Hospital	35,000.00
Carlisle Hospital	38,000.00
Centre County Hospital	35,000.00
Chambersburg Hospital	28,000.00
Charleroi-Monessen Hospital	35,000.00
Chester County Hospital West Chester	80,000.00
Chester Hospital	120,000.00
Chestnut Hill Hospital Philadelphia	36,500.00
Children's Heart Hospital Philadelphia	36,000.00
Children's Hospital of Philadelphia	130,000.00
Children's Hospital of Pittsburgh	137,000.00
Christian H Buhl Hospital Sharon	54,000.00
Citizens General Hospital New Kensington ..	50,600.00
Clearfield Hospital	60,000.00
Coatesville Hospital	58,000.00
Columbia Hospital Columbia	16,000.00
Columbia Hospital Wilkesburg	22,000.00
Community General Hospital Reading	90,000.00
Community Hospital Kane	11,000.00
Conemaugh Valley Hospital	154,000.00
Corry Hospital Association	12,600.00
Crozier J Lewis Hospital	7,500.00
Delaware County Hospital	26,000.00
Eagleville Sanatorium for Consumptives	174,000.00
Easton Hospital	94,000.00
Elizabeth Steel Magee Hospital Pittsburgh ..	152,000.00
Elk County General Hospital	19,100.00
Ellwood City Hospital	13,600.00
Elm Terrace Hospital	6,400.00
Eye and Ear Hospital Pittsburgh	32,000.00
Frankford Hospital Philadelphia	87,000.00
Franklin City Hospital	25,000.00
F Douglass Memorial Hospital & Training School	38,000.00
Frick Henry Clay Memorial Hospital	22,000.00
Geisinger Geo F Memorial Hospital	82,000.00
General Hospital of Monroe County	30,000.00
Germantown Dispensary and Hospital	250,000.00
Good Samaritan Hospital Lebanon	76,000.00
Grandview Hospital Sellersville	20,000.00
Greene County Memorial Hospital	25,000.00
Greenville Hospital	9,000.00
Grove City Hospital	4,000.00

Hahnnemann Hospital Philadelphia	284,000.00	Saint Vincent's Hospital Association Erie ..	134,000.00
Hahnnemann Hospital Scranton	68,000.00	Sewickley Hospital	30,000.00
Hamot Hospital Association Erie	152,000.00	Shady Side Hospital	117,000.00
Hanover General Hospital	22,400.00	Soldier's and Sailor's Memorial Hospital ..	5,000.00
Harrisburg Hospital	154,000.00	Somerset Community Hospital	28,400.00
Harrisburg Polyclinic Hospital	87,000.00	South Side Hospital Pittsburgh	96,000.00
Homestead Hospital	58,000.00	Spencer Hospital Meadville	48,000.00
Indiana Hospital	66,000.00	Stetson Hospital Philadelphia	18,600.00
Jameson Memorial Hospital Association New Castle	26,000.00	Suburban General Hospital Bellevue	24,000.00
Jefferson Medical College Hospital	416,000.00	Sunbury Community Hospital	49,000.00
Jersey Shore Hospital	8,000.00	Taylor Hospital Association Taylor	47,600.00
Kane Summit Hospital Association	7,500.00	Taylor Hospital Ridley Park	29,000.00
Lancaster County Tuberculosis Society Ross- more	71,500.00	Temple University Hospital	230,000.00
Lancaster General Hospital	108,000.00	Titusville Hospital	11,600.00
Lancaster Osteopathic Hospital Association	4,000.00	Tuberculosis League of Pittsburgh	120,000.00
Lankenau Hospital Philadelphia	60,000.00	Uniontown Hospital	100,000.00
Latrobe Hospital	36,000.00	University of Pennsylvania Hospital	376,000.00
Lee Homeopathic Hospital Johnstown	32,000.00	University of Pennsylvania Graduate Hos- pital	232,000.00
Lewistown Hospital	86,000.00	Warne Lemos B Hospital & Clinic Inc Potts- ville	4,000.00
Lock Haven Hospital	54,000.00	Warner Annie M Hospital Gettysburg	14,000.00
Lying-In Charity Hospital Philadelphia	88,000.00	Warren General Hospital	42,000.00
Maple Avenue Hospital Association Dubois	23,000.00	Washington Hospital	66,000.00
Maternity Hospital Philadelphia	45,000.00	Wayne County Memorial Hospital Honesdale	10,000.00
McKeesport Hospital	120,000.00	Waynesboro Hospital	22,000.00
Meadville City Hospital	38,000.00	Western Pennsylvania Hospital Pittsburgh	206,000.00
Memorial Hospital Association Monongahela City	15,000.00	Westmoreland Hospital Association Greens- burg	79,000.00
Memorial Hospital of Chester County	39,000.00	West Side Hospital Association Scranton ..	84,000.00
Memorial Hospital of Roxborough Phila- delphia	48,000.00	Wilkes-Barre General Hospital	230,000.00
Mercy Hospital Altoona	46,000.00	Williamsport Hospital	142,000.00
Mercy Hospital & School for Nurses Phila- delphia	108,000.00	Wills Hospital Philadelphia	134,000.00
Mercy Hospital Wilkes-Barre	124,000.00	Women's Homeopathic Hospital Philadelphia	95,000.00
Mid-Valley Hospital Blakely	40,000.00	Women's Hospital of Philadelphia	92,000.00
Milliken A C Hospital Pottsville	40,000.00	Women's Hospital Pittsburgh	12,800.00
Miners' Hospital of Northern Cambria	68,000.00	Women's Medical College Hospital Phila- delphia	100,000.00
Montefiore Hospital Pittsburgh	114,000.00	Wyoming Valley Homeopathic Hospital	
Montgomery Hospital Norristown	58,000.00	Wilkes-Barre	68,000.00
Mount-Sinai Hospital Philadelphia	164,000.00	York Hospital	142,000.00
Nason Hospital Association Roaring Springs	39,600.00	Zem Zem Hospital for Crippled Children Erie	30,000.00
Northern Liberties Hospital	28,000.00		
Northeastern Hospital of Philadelphia	42,000.00		
Northwestern General Hospital Philadelphia	26,400.00		
Ohio Valley General Hospital	28,600.00		
Ohio City Hospital	32,000.00		
Packer Robert Hospital Sayre	190,000.00		
Passavant Hospital Pittsburgh	64,000.00		
Pennsylvania Epileptic Hospital & Colony Farm	64,000.00		
Pennsylvania Hospital of Philadelphia (Con- tributors)	256,000.00		
Philadelphia College of Osteopathy Hospital	10,000.00		
Phoenixville Hospital	24,000.00		
Pittsburgh Hospital Association	98,000.00		
Pittston Hospital Association	75,000.00		
Port Allegheny Hospital	3,000.00		
Potter County Memorial Hospital Couders- port	6,000.00		
Pottstown Homeopathic Hospital	20,000.00		
Pottstown Hospital	34,000.00		
Pottsville Hospital	120,000.00		
Presbyterian Hospital Pittsburgh	82,000.00		
Providence Hospital of Beaver County	18,800.00		
Quakertown Hospital Association	14,600.00		
Reading Hospital	160,000.00		
Renovo Hospital	12,800.00		
Rochester General Hospital	42,000.00		
Rush Hospital for Consumptives Philadelphia	114,000.00		
Saint Christopher's Hospital for Children ..	92,000.00		
Saint Francis' Hospital Pittsburgh	224,000.00		
Saint John's General Hospital Pittsburgh ..	69,000.00		
Saint Joseph's Hospital Carbondale	35,000.00		
Saint Luke's Hospital South Bethlehem	144,000.00		
Saint Luke's & Children's Medical Centre Philadelphia	126,000.00		

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCulloch,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buccin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,

Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Poor,	McCormack,	Sarra,	Speaker
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1343, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The General Appropriation Act" of one thousand nine hundred forty-seven

Section 2 The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred forty seven and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred forty-seven

I Executive Department

To the Governor

For the payment of the salary of the Governor and the salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employees for the payment of general expenses supplies printing and equipment and any other expenses whatsoever necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the payment of the costs of auditing the Department of the Auditor General as provided by law for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent the Commonwealth in any capacity for the expenses incurred in the conduct of the Executive Mansion including the maintenance of employees assigned hereto for the expenses of entertainment of official guests

and for the expense incident to the participation of the Governor in the Governor's Conference the sum of four hundred ninety thousand dollars (\$490,000)

For the cost of painting a portrait of ex-Governor Martin to be placed in the office of the Governor the sum of seven hundred fifty dollars (\$750)

For the cost of painting a portrait of ex-Governor John C Bell to be placed in the office of the Governor the sum of seven hundred fifty dollars (\$750)

To the Lieutenant Governor

For the payment of the salary of the Lieutenant Governor and for all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of twenty nine thousand two hundred fifty dollars (\$29,250)

For the cost of painting a portrait of ex-Lieutenant Governor John C Bell to be placed in the office of the Lieutenant Governor the sum of seven hundred fifty dollars (\$750)

To the Department of the Auditor General

For the payment of the salary of the Auditor General and the salaries wages and other compensation of a deputy Auditor General and other employees for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of two million one hundred thousand dollars (\$2,100,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars (\$1000)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars (\$4000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of fifteen thousand dollars (\$15,000)

To the Treasury Department

For the payment of the salary of the State Treasurer and the payment of salaries wages or other compensation of a deputy State Treasurer and other employees for the payment of general expenses for the purchase through the Department of Property and Supplies as agent of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million twenty-five thousand dollars (\$1,025,000)

For the payment of salaries or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of ninety-five thousand dollars (\$95,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty-two thousand and forty dollars (\$52,040)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of

interest on general expense bonds and Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of fifteen thousand dollars (\$15,000)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars (\$20,000)

For the payment of the cost of printing or engraving of bonds required by the Loan and Transfer Agent in making exchanges as requested by bondholders the sum of five hundred dollars (\$500)

For refunding the balances due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars (\$1000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars (\$2500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars (\$250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of ten thousand dollars (\$10,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of two thousand five hundred dollars (\$2500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of two thousand five hundred dollars (\$2500)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of one hundred twenty-five thousand dollars (\$125,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of fifteen thousand dollars (\$15,000)

For the payment of approved claims for refunds made to the Board of finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feeble-minded in part supported by the Commonwealth the sum of fifty thousand dollars (\$50,000)

For the purpose of refunding fees paid in connection with renewal applications for registration under The Securities Act which have been cancelled before January first of the year for which the fees were paid the sum of five hundred dollars (\$500)

For the purpose of refunding collections by the Department of Public Assistance the sum of twenty-five thousand dollars (\$25,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars (\$500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of five thousand dollars (\$5000)

For the payment of approved claims for refunds of fines

collected under the provisions of the Motor Vehicle Code the sum of two thousand five hundred dollars (\$2500)

For the payment of approved claims for refund of documentary tax stamps the sum of five thousand dollars (\$5000)

For the refunds of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of twenty-five thousand dollars (\$25,000)

For refunding all or any part of license fees paid for the year one thousand nine hundred forty-seven in accordance with the act of May twenty-ninth one thousand nine hundred and one (P. L. 327) as amended the sum of three hundred thousand dollars (\$300,000) refund payment to be made by requisitions draw by the Secretary of Agriculture and approved by the Board of Finance and Revenue without requiring the filing of a formal claim

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred thirty-four (One thousand nine hundred thirty-three and one thousand nine hundred thirty-four P. L. 219) the sum of six million one hundred seventy-eight thousand nine hundred forty-two dollars and fifty cents (\$6,178,942.50) according to the following schedule

Requirements

Date of Payment	Principal	Interest	Total
September 1 1947 ..	.....	\$325,000.00	\$325,000.00
November 1 1947 ..	.....	180,000.00	180,000.00
March 1 1948	\$1,237,253.21	325,000.00	1,562,253.21
May 1 1948	912,843.04	180,000.00	1,092,843.04
September 1 1948 ..	.....	284,375.00	284,375.00
November 1 1948 ..	.....	150,000.00	150,000.00
March 1 1949	1,237,253.21	284,375.00	1,521,628.21
May 1 1949	912,843.04	150,000.00	1,062,843.04

For payment into the Sinking Fund to meet the interest and sinking fund requirements of bonds issued under the provisions of Article nine Section twenty-one authorized by the 1947 Session of the General Assembly the sum of five million eight hundred twelve thousand five hundred dollars (\$5,812,500) The Governor the Auditor General and the State Treasurer shall determine the schedule of interest and sinking fund payments to be made from this appropriation into the Sinking Fund such schedule to depend upon when the bonds are issued and the interest rate payable

To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture and the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth work for testing of animals to prevent spreading of dangerous contagious and infectious diseases for the payment of expenses of the State Farm Show Commission and the Pennsylvania Official Egg Laying Contest for the payment of any expenses necessary in increasing and conserving the State's food supplies during war for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law for expenses necessary in carrying out the provisions of the law with respect to soil conservation and for the purpose of compensating land owners according to existing law for the loss of cedar trees destroyed by order of the department to prevent damage to apple orchards by cedar apple rust the sum of three million three hundred thousand dollars (\$3,300,000)

For the payment of the expenses of the department in conducting research to find measures for preventing transmission of and for curing diseases of cattle the sum of twenty-five thousand dollars (\$25,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock live stock products horticultural products handicrafts cereals bees and bee products as provided by law Pro

vided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars (\$100,000)

For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law the sum of one million seven hundred thousand dollars (\$1,700,000)

To the Department of Banking

For the payment of salaries wages or other compensation of the members of the Securities Commission and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred eighteen thousand dollars (\$118,000)

To the Department of Commerce

For the payment of the salary of the Secretary of Commerce and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of nine hundred fifty thousand dollars (\$950,000)

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Board of Housing the sum of twenty-five thousand dollars (\$25,000)

To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters and for the payment of the salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dykes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of buildings the sum of two million six hundred thousand dollars (\$2,600,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars (\$200,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags marakers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred forty thousand dollars (\$140,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred fifty thousand dollars (\$150,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of one hundred ten thousand dollars (\$110,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred twenty-four thousand five hundred dollars (\$224,500)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of fourteen thousand dollars (\$14,000)

For the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deckhands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of ninety thousand dollars (\$90,000)

For the payment of salaries wages or other compensation of superintendent officers doctors machinists messmen pharmacists yeomen marine engineers cooks clerks stenographers and other employes for the payment of general expenses insurance dockage supplies printing automobiles and equipment for the repairs and alterations and improvements to vessels plants and equipment for the improvement to land for the purchase and repair of equipment furniture furnishings and for incidental expenses and all other expenses of maintenance and operations necessary for the proper conduct of the work of a state nautical school by the Navigation Commission for the Delaware River and its navigable tributaries as provided by law the sum of one hundred twenty-five thousand dollars (\$125,000) and in addition to said amount all moneys received by the Commonwealth from the Federal Government in accordance with any act of Congress for this purpose shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Health

For the payment of the salary of the Secretary of Health and for the payment of salaries wages or other

compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department of Sanitary Water Board the Advisory Health Board and other boards the sum of four million three hundred fifty thousand dollars (\$4,350,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting cancer research the study of facilities and the dissemination of information as to diagnosis and treatment of cancer the sum of two hundred fifty thousand dollars (\$250,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in promoting prevention care diagnosis and treatment of rheumatic fever and rheumatic heart disease the sum of two hundred forty thousand dollars (\$240,000)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and live stock for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of eight million three hundred thousand dollars (\$8,300,000)

For the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of seven million dollars (\$7,000,000)

To the Insurance Department

For the payment of the salary of the Insurance Commissioner and for the payment of salaries wages or other compensation of a deputy commissioner and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies and for the payment of the liquidation and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of nine hundred thirty thousand dollars (\$930,000)

And in addition all sums received from the assets of companies in liquidation by way of reimbursement for expenditures previously made from this appropriation shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs and for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of one million two hundred thousand dollars (\$1,200,000)

To the Department of Justice

For the payment of the salary of the Attorney General and for the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth

or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Board of Pardons and the Board of Commissioners on Uniform State Laws for the audit and investigation of claims and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of eight hundred seventy-five thousand dollars (\$875,000)

To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of three million four hundred thousand dollars (\$3,400,000)

For the payment from time to time into the Administration Fund in order to provide funds for the payment of salaries wages or other compensation of employes engaged in the administration of the State-Federal Employment Service and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of this service the sum of two hundred fourteen thousand dollars (\$214,000)

For use by the State Board of Vocational Rehabilitation in purchasing artificial appliances for and payment of the maintenance cost of physically handicapped persons in training including the deaf and hard of hearing and in paying all other expenses necessary in carrying out the provisions of the Rehabilitation Act the sum of six hundred thousand dollars (\$600,000) and in addition thereto any contribution from the Federal Government or from any other source for rehabilitation shall be paid into the General Fund and credited to this appropriation

To the Department of Military Affairs

For the payment of the salary of the Adjutant General and for the payment of salaries wages or other compensation of the deputies adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal for the payment of expenses incurred in maintaining monuments in Europe erected at the expense of the Commonwealth and for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repair of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human

life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of the Pennsylvania State Guard in the event of the Pennsylvania National Guard being called into active service of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania State Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania State Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of use of automobiles and other expenses necessary for the maintenance mileage charges to the Department of Property and Supplies for the training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania State Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of three million seven hundred fifty thousand dollars (\$3,750,000)

Provided however That there is hereby appropriated for the same purpose the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania State Guard in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employees of the Department of Military Affairs or for in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania State Guard

For the payment of salaries wages or other compensation of the superintendent and other employees for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and for all other expenses of maintenance an operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of two hundred seventy-five thousand dollars (\$275,000) and in addition to said amount all moneys

collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

To the Department of Mines

For the payment of the salary of the Secretary of Mines and for the payment of salaries wages or other compensation of a deputy secretary the mine inspectors and other employees and for the payment of general expenses including examination costs supplies printing and equipment necessary for the proper conduct of the work of the department and the mine inspectors the sum of eight hundred seventy-five thousand dollars (\$875,000)

For the payment of all expenses of the department in administering and enforcing the "Bituminous Coal Open Pit Mining Conservation Act" of the 1945 Session of the General Assembly the sum of fifty thousand dollars (\$50,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the administration of the Act of May 29, 1945 (P. L. 1132) relating to the health and safety of miners the sum of seventy-five thousand dollars (\$75,000)

To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of three million one hundred seventy-five thousand dollars (\$3,175,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employees necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or offices or other quarters used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War as provided by law the sum of fourteen thousand five hundred dollars (\$14,500)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of fifty thousand dollars (\$50,000)

For the purchase of fuel water gas steam and electric current and necessary devices for the reception and use of same and for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion the State Arsenal any buildings lands or structures within the City of Harris-

burg donated or devised to the Commonwealth and any buildings or monuments of historical interest located anywhere in the Commonwealth except the Liquor Control Board Office Building in Harrisburg for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund the sum of one million dollars (\$1,000,000)

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State Government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania State Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Departments of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or other officer of the State Government the sum of nine hundred sixty thousand dollars (\$960,000)

For the purchase of office supplies and equipment stationery printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of five hundred thousand dollars (\$500,000)

To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance and for the payment of the salaries wages or other compensation of a deputy secretary and other employees for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of eight hundred seventy-five thousand dollars (\$875,000)

To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction and for the payment of salaries wages or other compensation of deputy superintendents and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of eight hundred five thousand dollars (\$805,000)

For the payment of salaries wages or other compensation of employees for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parlia-

mentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library and Museum the sum of two hundred fifty thousand dollars (\$250,000)

For the payment of salaries wages or other compensation of a deputy members and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to pre-professional professional education and licensure and the professional examining boards and advisory committees within the department the sum of six hundred eighty thousand dollars (\$680,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to pre-professional professional education and licensure the professional examining boards and advisory committee within the department

For the payment of salaries wages or other compensation of members and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred sixty-one thousand dollars (\$161,000)

For the payment of salaries wages and other compensation of members and other employees for the payment of general expenses supplies printing equipment and the purchase of tests for the proper conduct of the work in the Department of Public Instruction with respect to the conduct of examinations for the determination evaluation and issuances of equivalent high school credits certificates or diplomas the sum of sixty-six thousand dollars (\$66,000)

For the payment of salaries wages and all other expenses of the department in conducting examinations of auditory acuity of pupils in public schools the sum of twenty thousand dollars (\$20,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the acquisition of Federal surplus property and the distribution of such property to schools and other agencies authorized to receive it the sum of one hundred fifty thousand dollars (\$150,000)

And be it provided that moneys collected from schools and agencies to whom such property shall have been distributed covering cost of acquisition and handling shall be paid into the General Fund and credited to this appropriation and available for the purposes for which this appropriation has been made

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department and the State Board for Vocational Education in licensing and regulating private trade schools and classes the sum of twenty-five thousand dollars (\$25,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in providing large-type books for partially sighted children in the public schools the sum of forty thousand dollars (\$40,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in accrediting facilities for the training of veterans the sum of seventy thousand dollars (\$70,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Public School Employees Retirement Board the sum of three hundred thousand dollars (\$300,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employees for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel

for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of six million five hundred thousand dollars (\$6,500,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing laws are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department with respect to the Pennsylvania Area College Center Act the sum of one million eight hundred thousand dollars (\$1,800,000)

For the payment of salaries wages or other compensation of superintendents and other employees for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at	
Scranton Pennsylvania	(\$240,000)
Pennsylvania Soldiers' Orphan School at Scot-	
land Pennsylvania	(\$610,000)
Thaddeus Stevens Trade School at Lancaster	
Pennsylvania	(\$300,000)

and in addition to the appropriation to the Thaddeus Stevens Trade School made by this paragraph all moneys collected from the Federal Government by the institution or by the Commonwealth in payment of support or training of members of Federal military establishments at the Thaddeus Stevens Trade School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Trade School made by this paragraph

For the payment of salaries of the county superintendents of public schools or persons acting in their stead as required by law the sum of five hundred eighty-seven thousand dollars (\$587,000)

For the payment of the expenses of county superintendents of public schools or persons acting in their stead as required by law the sum of sixty-six thousand dollars (\$66,000)

For the payment of the salaries of assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of eight hundred fifty-four thousand dollars (\$854,000)

For the payment of expenses of assistant county superintendents of public schools and supervisors of special education or persons acting in their stead as required by law the sum of one hundred twenty-two thousand dollars (\$122,000)

For the payment of salaries of members of county boards of school directors and the fees of their attorneys the sum of fifty-two thousand eight hundred dollars (\$52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of thirteen million dollars (\$13,000,000)

For aid to school districts that now maintain or shall be established and maintained as part of the pub-

lic school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employees for general expenses of vocational divisions and the payment to the Department of Property and Supplies of mileage for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of two million three hundred thousand dollars (\$2,300,000) and be it provided that in time of serious unemployment not exceeding four hundred thousand dollars (\$400,000) of this appropriation may be expended with the Governor's approval in paying the full cost of mass vocational training of qualified public assistance recipients to take definite employment which may be contingent upon such training

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the department in carrying out the School Lunch Program the sum of ninety thousand dollars (\$90,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of three hundred sixty thousand two hundred dollars (\$360,200)

For reimbursing school districts upon the salaries of school teachers and upon the basis of teaching units as prescribed by law for closed schools and for nonresident high school tuition and any other non-resident tuition as required by law and for the minimum salaries of teachers and supervisors of home bound children and extension class pupils the sum of one hundred seventy-three million dollars (\$173,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf the supervision of or approved by the department in accordance with law the sum of two million five hundred thousand dollars (\$2,500,000)

For the payment into the School Employees' Retirement Fund to the credit of the Contingent Reserve Account of the School Employees' Retirement Fund as required by law the sum of four million four hundred eighty thousand dollars (\$4,480,000)

For the payment into the School Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employees' Retirement Fund as required by law the sum of eight million eight hundred eleven thousand four hundred dollars (\$8,811,400)

For the payment of compensation to former teachers principals supervising principals or superintendents who

agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of one hundred ninety-five thousand dollars (\$195,000)

To the Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission and for the payment of salaries wages or other compensation of a secretary and other employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of two million three hundred eighty thousand dollars (\$2,380,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of twenty-five thousand dollars (\$25,000)

To the Department of Revenue

For the payment of the salary of the Secretary of Revenue and for the payment of salaries wages or other compensation of deputy secretaries and other employees for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of the compensation of informants in escheats and the fees and expenses of escheators for the payment of costs in suits for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of four million three hundred sixty thousand dollars (\$4,360,000)

Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employees and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of one hundred twenty-two thousand dollars (\$122,000)

For the payment of salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employees and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of thirty-five thousand dollars (\$35,000)

To the Department of State

For the payment of the salary of the Secretary of the Commonwealth and for the payment of salaries wages or other compensation of a deputy secretary and other employees for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of four hundred ten thousand dollars (\$410,000)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of thirty thousand dollars (\$30,000)

For the payment of salaries wages or other compensation of a secretary and other employees and for the payment of general expenses necessary for the proper conduct of the work of the State Employees' Retirement Board the sum of one hundred fifty eight thousand dollars (\$158,000) and in addition to the said amount any moneys collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employees' Retirement Fund on behalf of the employees of such public corporation or similar agency whose employees are entitled by law to be members of the State Employees' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million three hundred eighty-one thousand six hundred seventy-eight dollars (\$1,381,678)

For the payment into the State Employees' Retirement Fund to the credit of the Contingent Reserve Account the sum of one million six hundred ninety-eight thousand eight hundred ninety-one dollars (\$1,698,891)

For the payment into the State Employees' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania State Police Retirement System the sum of fifty thousand dollars (\$50,000)

For the payment into the State Employees' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of six hundred ninety-six thousand dollars (\$696,000)

For the payment of State employees who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (P. L. 973) as amended and for the payment of pensions and gratuities granted by law the sum of nine thousand six hundred seventy dollars (\$9,670)

To the Pennsylvania State Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and deputy commissioner of the Pennsylvania State Police the members of the State Police force and the other employees of the Pennsylvania State Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania State Police for the payment of the board lodging subsistence allowances uniforms arms and equipment of the Pennsylvania State Police force and for the payment of the proper medical surgical and hospital expenses incurred as a direct result of illness contracted or injuries received by members of the Pennsylvania State Police in the course of employment and not covered by insurance for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to an employee or for the payment of premiums on policies of insurance pendants of employees of the Pennsylvania State Police covering motor vehicles operated by the Pennsylvania State Police and surety bonds for employees of the Pennsylvania State Police required to furnish such bonds for the payment with the Attorney General's approval of damages sustained by persons whose property has been damaged or destroyed by members of the Pennsylvania State Police in the discharge of their duties for the operation and maintenance of the Pennsylvania State Police Training School including any branches thereof for the payment of traveling expenses and witness fees in the amount of two dollars (\$2) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania State Police and for the payment of fees charged by physicians

for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars (\$5) shall be paid to any physician for any such examination for the maintenance and operating of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other inter-communication system linking the central office of the Pennsylvania State Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with tother states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of five million dollars (\$5,000,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

To the Department of Welfare

For the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of nine hundred thousand dollars (\$900,000)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind for improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for medical treatment surgical operations eye glasses and other necessary aids or services including transportation for needy blind persons or persons with impaired vision and for meeting any additional expenses necessary the sum of three hundred ten thousand dollars (\$310,000)

For the payment of salaries wages general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind in supplying to the adult blind vocational training in such fields as are commensurate with their capacities and which will lead to remunerative employment with seeing workers in providing for their employment and placement in industry business and the professions in obtaining the required medical service for sunch training and placement and in meeting expenses necessary and proper in the administration of this program the sum of one hundred ten thousand dollars (\$110,000) and in addition to this amount moneys received from the United States Government or from any other source as contribution for this program shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of boards of trustees and incidental expenses for the payment of gratuities clothing parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Institution for Defective Delinquents at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Pennsylvania Industrial School at White Hill the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the

State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the ESecretary of Welfare the sum of twelve million dollars (\$12,000,000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats livestock timber and other similar materials to other State institutions shall be paid into the eGneral Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Fairview State Hospital at Fairview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville the Western State Psychiatric Hospital at Pittsburgh the Embreeville State Hospital at Embreeville the Hollidaysburg State Hospital at Hollidaysburg the Mayview State Hospital at Mayview the Somerset State Hospital at Somerset the Woodville State Hospital at Woodville the Clarks Summit State Hospital at Clarks Summit the Retreat State Hospital at Retreat the Dixmont State Hospital at Dixmont and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare for the payment of all expenses of the department in deporting to their states of ersidence persons committed to State Mental institutions who may hold residence in other states for the purchase from publicly or privately operated non-sectarian hospitals at cost not exceeding five dollars (\$5.00) per day of psychiatric treatment and maintenance of mentally ill persons admitted to such hospitals who are entitled to free service for such periods per person as the Department of Welfare may approve and for assisting such hospitals to establish facilities for the care and treatment of the mentally ill such assistance to be limited to seven hundred fifty dollars (\$750) per bed provided and for theestablishment and maintenance of psychiatric clinics under the regulations of the department the sum of forty-four million dollars (\$44,000,000) and in addition to said amount all moneys realized from the sale of surplus products of the soil meats live stock timber and other similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton Ctate Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of eight million three hundred thousand dollars (\$8,030,000) and in addition to said amount all moneys realized from the sale of surplus products of soil meats live stock timber an dother similar materials to other State institutions shall be paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of salaries wages or other compensation of the superintendents and other employes for the

payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of six million five hundred thousand dollars (\$6,500,000)

To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of four hundred thousand dollars (\$400,000)

To the State Civil Service Commission

For the payment of salaries wages or other compensation of the commissioners a personnel director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars (\$100,000) and in addition any money collected by the Commission by way of reimbursement under the provisions of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation Provided That the specific appropriation of \$100,000 made by this paragraph shall be used by the Commission as working capital only and shall lapse at the end of the biennium in the full amount

To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million two hundred sixty thousand dollars (\$1,260,000)

To the Commission on Interstate Cooperation

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of five thousand dollars (\$5,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Interstate Commission on the Delaware River Basin

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of fifty thousand dollars (\$50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman of said commission shall file an accounting of said expenses with the Auditor General

Atlantic States Marine Fisheries Commission

For support of the Atlantic States Marine Fisheries Commission created by the act of June 1 1943 (P. L. 798) the sum of twelve hundred dollars (\$1200) Requisitions shall be prepared and signed by the Commissioner of Fisheries

Ohio River Valley Water Sanitation Commission

For support of the Ohio River Valley Water Sanitation Commission created by the act of April 2 1945 (P. L. 50) the sum of twenty-four hundred dollars (\$2400) Requisitions shall be prepared and signed by the Secretary of Commerce

Interstate Oil Compact Commission

For the support of the Interstate Oil Compact Commission created by the act of July 23 1941 (P. L. 432) and for the payment of expenses of the Governor or his delegate in representing Pennsylvania the sum of two thousand four hundred dollars (\$2400) Requisitions shall be signed by the Governor

Interstate Commission on the Potomac River Basin

For the support of the Interstate Commission on the Potomac River Basin created by the act of May 29 1945 (P. L. 1139) the sum of four thousand two hundred dollars (\$4200) Requisitions shall be prepared and signed by the Secretary of Commerce

To the Council of State Governments

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of forty thousand dollars (\$40,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

Pennsylvania Historical and Museum Commission

For the payment of salaries wages general expenses supplies printing and equipment necessary for the work of the Pennsylvania Historical and Museum Commission including maintenance and development of historical monuments and sites the sum of four hundred ten thousand dollars (\$410,000)

For the payment of the cost of preparation and erection of historical markers for historical research and for maintenance and development of historical sites the sum of one hundred fifty-five thousand dollars (\$155,000)

The Electoral College

For the payment of the expense of the Electoral College of one thousand nine hundred forty-eight the sum of one thousand dollars (\$1000) to be paid on requisition of the Auditor General

II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June first one thousand nine hundred forty-seven and also for the expenses of the session and recess of one thousand nine hundred forty-seven not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives of the legislative session of one thousand nine hundred and forty-nine shall be paid by requisition of the Chief Clerk of the Senate or the Chief Clerk of the House of Representatives upon the Auditor General only after statement of the amounts due the several Senators and Members shall have been certified to the respective chief clerks by the President pro tempore of the Senate or Speaker of the House of Representatives and that the Senators and Members receiving fixed salaries for said session shall be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance of the day fixed for the final adjournment of the Legislature or during the two days previous thereto

All compensation payable to officers and employes under

the provisions of this act shall be payable semi-monthly on the fifteenth day and the last day of each month on requisition of the Chief Clerk of the Senate or of the House of Representatives as the case may be pursuant to certification of the officer under whose direction and control the officer or employee shall be

To the Senate

For the payment of the salaries of fifty senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and forty-nine the sum of one hundred fifty-one thousand dollars (\$151,000)

For the payment of the mileage of fifty senators session of one thousand nine hundred and forty-nine the sum of eighteen thousand dollars (\$18,000)

For the payment of postage session of one thousand nine hundred and forty-nine allowed by law to fifty senators the sum of seven thousand five hundred dollars (\$7500)

For the payment of postage session of one thousand nine hundred and forty-nine for the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

For the payment of postage session of one thousand nine hundred and forty-nine for the Lieutenant Governor the sum of one hundred fifty dollars (\$150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-nine the sum of four thousand five hundred dollars (\$4500)

For the payment of the salaries of the officers and employees of the Senate session of one thousand nine hundred and forty-nine also for the payment of the session and recess salaries of all officers and employees whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employees of the Senate whose present salaries are provided for in this section the sum of one hundred thirty-two thousand dollars (\$132,000) for the two years beginning June first one thousand nine hundred and forty-seven

For the payment of the mileage of the officers and employees of the Senate session of one thousand nine hundred and forty-nine the sum of two thousand seven hundred dollars (\$2700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-nine the sum of eight thousand dollars (\$8000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-nine the sum of two thousand dollars (\$2000)

For the payment of the salary of the clerk to the President of the Senate for two years beginning June first one thousand nine hundred and forty-seven the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and forty-seven the sum of fifteen thousand dollars (\$15,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-seven the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the Secretary to the President pro tempore of the Senate for the two years beginning June first one thousand nine hundred forty-seven the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-seven the sum of nine thousand dollars (\$9000)

For the payment of the salary of the assistant librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-seven the sum of seven thousand two hundred dollars (\$7200)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of four thousand two hundred dollars (\$4200)

For the payment of the salary of the stenographer to the President of the Senate for the two years beginning June first one thousand nine hundred forty-seven the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the library clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-seven the sum of five thousand dollars (\$5000)

For the payment of the salary of the secretary to the majority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the secretary to the minority floor leader of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the secretary to the Senate Librarian for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of eight thousand dollars (\$8000)

For the payment of the salary of the superintendent of the storeroom of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of six thousand dollars (\$6000)

For the payment of the salary of the chief custodian of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of five thousand four hundred dollars (\$5,400)

For the payment of the salary of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of three thousand six hundred dollars (\$3600)

For the payment of the salaries of one custodian of the Senate Chamber and assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred forty-seven as provided by law the sum of eleven thousand two hundred dollars (\$11,200)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of three thousand dollars (\$3000)

For the payment of the salary of a janitor for the Senate for the two years beginning June first one thousand nine hundred forty-seven the sum of three thousand dollars (\$3000)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and forty-seven the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred and forty-seven and ending May thirty-first one thousand nine hundred and forty-nine in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during legislative sessions and during the interim

between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same. Of the sum herein appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred and forty-nine. If the term of office of the chairman of the Committee on Appropriations shall terminate prior to the regular session of 1949 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account.

For the payment of expenses incident to issuing certificate of election of senators for the session of one thousand nine hundred and forty-nine the sum of seventy-five dollars (\$75) (Act of June fourteenth one thousand nine hundred and eleven Pamphlet Laws 926)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred and forty-nine the sum of three thousand dollars (\$3000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-nine the sum of four thousand dollars (\$4000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and forty-eight the sum of seven thousand dollars (\$7000) and for six months ending November thirtieth one thousand nine hundred and forty-eight the sum of four thousand dollars (\$4000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty-eight and the entire period of the session of one thousand nine hundred and forty-nine should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars (\$2000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of ten thousand dollars (\$10,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and chief clerk.

For the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year beginning June first one thousand nine hundred and forty-seven the sum of five thousand dollars (\$5000) and for the year beginning June first one thousand nine hundred and forty-eight the sum of five thousand dollars (\$5000)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year beginning June first one thousand nine hundred and forty-seven the sum of two thousand eight hundred dollars (\$2800) and for the year beginning June first one thousand nine hundred and forty-eight the sum of two thousand eight hundred dollars (\$2800)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the Senate during the recess ending December first one thousand nine hundred and forty-eight the sum of two thousand five hundred dollars (\$2500) and for like expenses for the session of one thousand nine hundred and forty-nine the sum of two thousand dollars (\$2000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the Senate during the re-

cess ending December first one thousand nine hundred and forty-eight the sum of two thousand dollars (\$2000) and for like expenses for the session of one thousand nine hundred and forty-nine the sum of one thousand five hundred dollars (\$1500)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred and forty-seven the sum of one thousand dollars (\$1000)

To the House of Representatives

For the payment of the salaries of two hundred and eight members of the House of Representatives and extra compensation allowed by law to the Speaker of the House of Representatives session on thousand nine hundred and forty-nine the sum of six hundred twenty-five thousand dollars (\$625,000)

For the payment of the mileage of two hundred and eight members of the House of Representatives session of one thousand nine hundred and forty-nine the sum of eighty-five thousand dollars (\$85,000)

For the payment of postage session of one thousand nine hundred and forty-nine allowed by law to two hundred and eight members one hundred fifty dollars (\$150) each the sum of thirty-one thousand two hundred dollars (\$31,200)

For the payment of postage session of one thousand nine hundred and forty-nine to the chief clerk and assistants the sum of one hundred fifty dollars (\$150)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-nine the sum of ten thousand dollars (\$10,000)

For the payment of salaries of the officers and employees of the House of Representatives session of one thousand nine hundred and forty-nine also for the payment of the session and recess salaries of all officers and employees whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employees of the House of Representatives whose present salaries are provided for in this section the sum of one hundred fifty-eight thousand dollars (\$158,000) for the two years beginning June first one thousand nine hundred and forty-seven

For the payment of the mileage of the officers and employees of the House of Representatives session of one thousand nine hundred and forty-nine the sum of four thousand dollars (\$4000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and forty-nine the sum of thirteen thousand dollars (\$13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and forty-nine the sum of three thousand dollars (\$3000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of twelve thousand dollars (\$12,000)

For the payment of the salary of the secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of seven thousand two hundred dollars (\$7200)

For the payment of the salary of the stenographer to the chief clerk for the two years beginning June first one thousand nine hundred and forty-seven the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the secretary to the Secretary of the House of Representatives for the two

years beginning June first one thousand nine hundred and forty-seven the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred and forty-seven the sum of three thousand dollars (\$3000)

For the payment of the salary of the secretary to the majority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the secretary to the minority floor leader of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the Administrative Assistant to the Speaker for the two years beginning June first one thousand nine hundred and forty-seven the sum of four thousand eight hundred dollars (\$4800)

For the payment of the salary of the clerk to the Speaker for the two years beginning June first one thousand nine hundred and forty-seven the sum of four thousand two hundred dollars (\$4200)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employed during the period beginning June first one thousand nine hundred and forty-seven as provided by law the sum of six thousand dollars (\$6000)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the period beginning June first one thousand nine hundred and forty-seven as provided by law the sum of eight thousand dollars (\$8000)

For the payment of the salary of the secretary to the Chief Clerk for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the chief custodian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of four thousand dollars (\$4000)

For the payment of the salaries of the four custodians of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven as provided by law the sum of fourteen thousand four hundred dollars (\$14,400)

For the payment of the salary of the messenger to the Secretary for the period beginning June first one thousand nine hundred and forty-seven as provided by law the sum of three thousand dollars (\$3000)

For the payment of the salary of the secretary of the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of four thousand four hundred dollars (\$4400)

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of eight thousand dollars (\$8000)

For the payment of the salary of the amendment clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of six thousand dollars (\$6000)

For the payment of the salary of the supply clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of three thousand six hundred dollars (\$3600)

For the payment of the salary of the compiling clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of seven thousand two hundred dollars (\$7200)

For the payment of the salary of the finance clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-seven the sum of six thousand dollars (\$6000)

For the payment of contingent expenses including cler-

ical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred and forty-eight the sum of four thousand dollars (\$4000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-nine the sum of four thousand dollars (\$4000)

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-seven the sum of nineteen thousand dollars (\$19,000) and for the six months beginning June first one thousand nine hundred and forty-eight the sum of nine thousand one hundred dollars (\$9100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and forty-eight and for the entire period of the session of one thousand nine hundred and forty-nine should the same extend beyond May thirty-first to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts. The whole amount thus expended thus expended by the chief clerk shall not exceed the sum of twenty thousand dollars (\$20,000)

To the chief clerk of the House of Representatives for the payment of extra services in connection with the compilation of the history of legislation in the House of Representatives session of one thousand nine hundred and forty-seven the sum of two thousand five hundred dollars (\$2500)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred and forty-seven in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institution and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions the sum of twenty-five thousand dollars (\$25,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentations of his requisition for the same of the sum herein appropriated not more than seventeen thousand five hundred dollars (\$17,500) shall be expended prior to the beginning of the regular session of the General Assembly of nineteen hundred and forty-nine. The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expense since the filing of the prior account

For the payment of the postage clerical stenographic and express charges and all other expenses in the office of the secretary of the House of Representatives for the year beginning June first one thousand nine hundred and forty-seven the sum of three thousand five hundred dollars (\$3500) and for the year beginning June first one thousand nine hundred and forty-eight the sum of three thousand five hundred dollars (\$3500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Majority floor leader of the House of Representatives during the recess ending December first one thousand nine hundred and forty-eight the sum of two thousand five hundred dollars (\$2500) and for like expenses for the session of one thousand nine hundred and forty-nine the sum of two thousand dollars (\$2000)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the House of Representa-

tives during the reces ending December first one thousand nine hundred and forty-eight the sum of two thousand dollars (\$2000) and for like expenses for the session of one thousand nine hundred and forty-nine the sum of one thousand five hundred dollars (\$1,500)

For the payment of the expenses incident to issuing certificates of election to members of the House of Representatives for the session of one thousand nine hundred and forty-nine (Act of June fourteenth one thousand nine hundred and eleven P. L. 926) the sum of seven hundred fifty dollars (\$750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the Chief clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of members of the House of Representatives officers of the House of Representatives or State officials during the two years beginning June first one thousand nine hundred and forty-seven the sum of three thousand dollars (\$3000)

Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

To the librarian of the Senate for the payment of the person appointed to index the Legislative Journal for the session of one thousand nine hundred and forty-seven the sum of two thousand dollars (\$2000)

For the work of the Legislative Journal officials after the close of the session of one thousand nine hundred and forty-seven on the Legislative Journal also the proof-reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars (\$4500)

Legislative Miscellaneous

For the payment of traveling and other expenses of the members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars (\$2500) to be paid on warrants of the Auditor General in favor of the President pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accountin g of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred and forty-seven the sum of eight hundred dollars (\$800)

To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission the sum of two hundred fifty thousand dollars (\$250,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisition for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler and bill drafter compiler and bill reading clerk search clerk messenger and file chief clerk reference librarian stenographers charwomen regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the session of the General Assembly of one thousand nine hundred forty-nine and for maintenance law books incidental expenses traveling

expenses and emergency clerical help and emergency assistants if needed for two years for the Legislative Reference Bureau the sum of one hundred thirty thousand dollars (\$130,000)

III Judicial Department

For the payment of the salaries of the judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and forty-seven payments to be made monthly by warrant drawn by the Auditor General on the State Treasury except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

Supreme Court

For the payment of the salaries of the Supreme Court judges the sum of two hundred seventy-four thousand dollars (\$274,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars (\$56,000)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the eastern ndistrict and employes in the library of the the Supreme Court at Philadelphia for the purchase of stationery supplies and the payment of the necessary expenses of the Supreme Court for the eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of sixty-five thousand two hundred dollars (\$65,200)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the western district thereof for the purchase of sationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of thirty-five thousand dollars (\$35,000)

For the payment of salaries wages or other compensation of the prothonotary and other employes in the office of the prothonotary of the Supreme Court for the middle district and for the payment of expenses for the Supreme Court in the middle district and the Superior Court at Harrisburg the sum of thirteen thousand one hundred dollars (\$13,100)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the eastern middle and western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of ninety-eight thousand and ninety-six dollars (\$98,096) Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of Judges to counties other than

their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of two thousand five hundred dollars (\$2500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars (\$10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administration of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars (\$25,000)

In the case of necessary expense stationery supplies and books for the eastern western and middle district herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the particular district thereof

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars (\$60,000)

Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred fifty-three thousand dollars (\$253,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars (\$49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employees of the Superior Court the sum of eighty thousand one hundred thirty-six dollars (\$80,136)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of twelve thousand dollars (\$12,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

Common Pleas Court

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth the sum of three million one hundred thousand dollars (\$3,100,000)

For the payment of the compensation carefare and expenses of Judges for holding court outside of their own judicial districts in accordance with law the sum of seventy-five thousand dollars (\$75,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars (\$5000)

For the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of nineteen thousand four hundred dollars (\$19,400)

Orphan's Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law the sum of six hundred eighteen thousand dollars (\$618,000)

Municipal Court of Philadelphia

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with law the sum of two hundred twenty-one thousand dollars (\$221,000)

County Court of Allegheny County

For the payment of the salaries of the judges of the

County Court for County of Allegheny the sum of one hundred twenty-one thousand dollars (\$121,000)

To the Juvenile Court of Allegheny County

For the payment of the salary of the judge of the Juvenile Court of the County of Allegheny the sum of twenty thousand dollars (\$20,000)

Retired Judges

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of fifty thousand dollars (\$50,000)

Associate Judges

For the payment of salaries of the associate judges the sum of fifty thousand dollars (\$50,000)

For the payment to associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and forty-seven the sum of seven thousand dollars (\$7000)

State Reporter

For the payment of the salary of the State Reporter the sum of ten thousand dollars (\$10,000)

For the payment of the salary of the Assistant State Reporter the sum of nine thousand six hundred dollars (\$9600)

For the payment of stationery clerk hire assistants and other general expenses the sum of sixteen thousand nine hundred dollars (\$16,900)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with section 604 605 and 606 of The Administrative Code

Section 5 The term "employees" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The terms "general expenses" and "maintenance" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicles supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water repairs or reconstruction of equipment premiums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of replacement or additional equipment and machinery other than passenger motor vehicles and all other incidental costs expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Flsh,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzler,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 22, as follows:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amounts which the counties will receive from the State for forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all lands heretofore or hereafter acquired by the Commonwealth or by the Government of the United States for forest reserves or for the purpose of preserving and perpetuating any portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and which by existing laws are now exempt from taxation and all lands and property heretofore or hereafter acquired for the purpose of conservation of water or to prevent flood conditions upon which a tax is imposed by existing laws payable by the Commonwealth shall hereafter be subject to an annual charge of [one cent] two cents per acre for the benefit of the county in which said lands are located and two cents per acre for the benefit of the roads in the township where such lands are located which charge shall be payable by the Commonwealth. The annual charge payable by the Commonwealth on land acquired by the Government of the United States for forest reserves is to continue only until the receipts of money by treasurers and road supervisors of the said counties and school districts and townships in which national forest reserves are located provided for in act of April twenty-seventh one thousand nine hundred twenty-five (P. L. 324) shall equal or exceed the amount paid by the Commonwealth in lieu of taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,

Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Flsh,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraff,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 33, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars (\$200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to and the development of the Delaware Division of the Pennsylvania Canal including the reconstruction and repair of aqueducts and lock forming a part of said canal and for the maintenance of the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Bech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Grimths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Erice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,

Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Flsh,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraff,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 202, as follows:

An Act to further amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 888) is hereby further amended to read as follows

Section 2320 State Council for the Blind The State Council for the Blind shall have the power and its duties shall be

(a) To formulate a general policy and program for the prevention of blindness and for the improvement of the condition of the blind in this Commonwealth Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice

(b) To make recommendations in accordance with such policy and practice to the several executive and administrative departments boards and commissions of this Commonwealth and to any public or private agencies therein which may be in any way concerned with work with or for the blind

(c) To cooperate with State and local agencies both public and private in taking steps to prevent the loss of sight in alleviating the condition of blind persons and persons of impaired vision in extending and improving the education advisement training placement and conservation of the blind and in promoting their personal economic social and civic well-being

(d) To act as a means for communicating with other State agencies public or private and with national agencies and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness the improvement of the blind or the regulation of private agencies for the care of the blind

(e) To collect systematize and transmit to the Department of Property and Supplies for publication and distribution to other agencies information in regard to blind persons and persons of impaired vision in this Commonwealth including their present physical and mental condition the causes of blindness and the possibilities of improvement of vision their financial status and earning capacity their capacity for education and vocational training and any other relevant information looking toward the improvement of their condition

(f) To refer cases of blind persons or problems in relation to the blind or prevention of blindness to such agencies public or private as may be likely to deal most successfully with them

(g) To encourage the cooperation of all agencies public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness

(h) To supervise the expenditures of State appropriations made to such agencies except in cases in which such supervision is by law within the powers or duties of some other administrative department board or commission

(i) To furnish or make available medical treatment surgical operations eye glasses and other necessary aids

or services including transportation to needy blind persons or persons with impaired vision for the purpose of improving conserving or restoring their vision These services and aids shall not be furnished unless they are otherwise unavailable and in no case shall the total cost thereof exceed one hundred dollars (\$100) two hundred fifty dollars (\$250) per person

(j) To take any action and to adopt any regulation necessary to carry out the objectives [of paragraph (i)] of this section and in furtherance of those objectives to accept any grants or contributions from the Federal Government or any agency thereof

Any such grants or contributions shall be held by the State Treasurer as custodian for the State Council for the Blind and shall be paid out on requisition of the State Council for the Blind without further appropriation

(k) To improve the condition of the blind by supplying where not otherwise available home instruction and training for educable blind persons in the reading writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial

(l) For the purpose of improving the economic conditions of the industrially blind to furnish and make available medical and psychological examinations medical and surgical treatment hospitalization prosthetic appliances and aids vocational counseling and guidance prevocational and vocational training transportation for medical and training purposes maintenance for medical and training purposes placement in suitable employment with necessary occupational tools and equipment and post-placement employment adjustment these services to be made available to residents of the Commonwealth who have reached their sixteenth birthday and who have a thirty percent or greater loss in visual functioning and who are suffering from a static permanent employment handicap by reason of this loss of visual functioning

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Gooding,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buochin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,

De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbin,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Y tzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarrafi,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 241, Printer's No. 76,

Senate Bill No. 372, Printer's No. 230,

Senate Bill No. 478, Printer's No. 244,

Senate Bill No. 498, Printer's No. 307 and

Senate Bill No. 556, Printer's No. 234

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 562, as follows:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest charges on loans and prescribing penalties for the violation of this act" are hereby amended to read as follows

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Pawnbroker" includes any person who (1) engages in the business of lending money on the deposit or pledge of personal property other than choses in action securities or written evidence of indebtedness or (2) purchases personal property with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price or (3) [does business as a storage warehouseman and] lends money upon goods wares or merchandise pledged stored or deposited as collateral security

"Pledge" means an article or articles deposited with a pawnbroker as security for a loan in the course of his business as defined in the preceding paragraph

"Pledger" means the person who obtains a loan from a pawnbroker and delivers a pledge into the possession of a pawnbroker unless such person discloses that he is or was acting for another in which case a "pledger" means the disclosed principal

"Person" includes an individual partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized

"Pawnbroking" means the business of a pawnbroker as defined in this act

"Pawn Ticket" means the card book receipt or other record furnished to the pledger at the time a loan is granted containing the terms of the contract for a loan

"Applicant" means any individual partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized applying for a license under this act and/or any person appearing as owner partner officer director trustee or other official of a partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized on such application for license under this act

"Municipality" includes a city town borough or township

Section 30 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate This act shall not apply to any person persons partnership association or corporation (1) operating under the laws relating to banking institutions building and loan associations credit unions or conducting business under a license issued by the Secretary of Banking of the Commonwealth of Pennsylvania under the provisions of any other statute (2) conducting a business as a storage warehouseman

Section 2 The provisions of this act shall become effective on the first day of October nineteen hundred and forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintees,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensheld,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,

Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 603, Printer's No. 337
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 617, as follows:

An Act to reenact and amend sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing eighth class counties to acquire operate and lease aviation landing fields and airdromes conferring power of eminent domain for such purposes authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State Federal or other public agencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as added by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) are hereby reenacted and amended to read as follows

Section 496 Any county of the second third fourth fifth sixth [or] seventh or eighth classes may acquire by lease purchase or condemnation proceedings any land lying

within its territorial limits or the territorial limits of any adjoining county which in the judgment of the county commissioners may be necessary and desirable for the purpose of establishing and maintaining airdromes or landing fields but no such land shall be so acquired in any adjoining county without the assent of the county commissioners thereof Any such county may also appropriate for such purposes any lands heretofore or hereafter purchased by it at any tax sale and which have not been redeemed within the period provided by law

Section 496.1 The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the same manner as now provided by law for the condemnation of land or buildings for county purposes in the county in which the land is situated

The title acquired by virtue of any such condemnation shall be a title in fee simple

Section 496.2 Any such county acquiring land for any aeronautical purposes may lease the same or part thereof for an adequate consideration after due public notice and with the consent and approval of the taxing authorities of the county acquiring such land to any individual or corporation desiring to use the same for the purposes of landing or starting an airplane therefrom or for other aeronautical purposes on such terms and subject to such conditions and regulations as may be provided Any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for air mail delivery or other aeronautical purposes upon nominal rental or without consideration

Section 496.3 Any such county acquiring land for any aviation purpose may operate and maintain said airdromes or aviation landing fields jointly with any such city county borough town or township or other political subdivision upon such terms and conditions as may be agreed upon between the corporate authorities thereof and the county commissioners of such county

Section 496.4 Any such county acquiring any land for such purpose may by resolution of the board of commissioners appropriate such funds as are necessary for the engineering design surveys and construction of such an airport either wholly by themselves or in cooperation with State Federal or other public agencies supplying a portion of the necessary funds for said work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	M Cullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Gooding,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snyder,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clavenger,	Jennings,	O'Dare,	Tompkins,

Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus.
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse.
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Welss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarrafi,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 676, Printer's No. 444 and

Senate Bill No. 696, Printer's No. 332

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 732, as follows:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby further amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year except leases made in the interest of national defense to the Government of the United States or any branch or agency thereof of which leases may be for such terms as are approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Stank,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevanger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,

Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davidson,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese D. P.,	Weiss,
Dye,	Layer,	Reese R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 736, Printer's No. 496
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 743, as follows:

An Act to further amend paragraph one of section two hundred forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph one of section two hundred and forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 454) is hereby further amended to read as follows

Section 246 Qualifications Eligibility Compensation The district attorney shall be a person learned in the law and who shall have resided in the county for which he is elected or appointed for two years next preceding his election or appointment and who is a resident of such county Provided however that in counties of the seventh and eighth classes the district attorney shall have resided in the county for which he is elected or appointed for one year next preceding his election or appointment and who is a resident of such county

* * * * *

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Title,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davidson,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese D. P.,	Weiss,
Dye,	Layer,	Reese R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 778, as follows:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one

thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain case providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as added by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1074) is hereby amended to read as follows

Section 2

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred [forty-seven] forty-nine Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Common-

wealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopea,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fliss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 783, Printer's No. 433
was passed over at the request of the SPEAKER.

RESOLUTION No. 56

Mr. LAYER. Mr. Speaker, I desire to call up Resolution No. 56, Printer's No. 832, on page No. 36 of today's calendar.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 28, 1947.

Whereas The United States Marine Corps has been a shining example of faithful and efficient service to our Nation for more than 172 years and

Whereas The United States Marine Corps has been a source of strength whenever our Nation has been threatened and

Whereas The United States Marine Corps alone of all the elements of our armed services possessed the vision to develop the science of waging amphibious warfare which knowledge permitted our Nation's offensive might to be carried to enemy shores and which proved to be the key to victory in a global war and

Whereas 50872 of the young men of this Commonwealth of Pennsylvania have served our Nation during World War II in the United States Marine Corps and

Whereas The United States Marine Corps is threatened with extinction if the merger bill now pending in the Congress of the United States is passed in its present form and

Whereas The abolition of the United States Marine Corps would be a disastrous loss to our Nation therefore be it

Resolved (If the Senate concurs) That the existence of the United States Marine Corps be assured by amendment to any merger bill such amendment specifically providing that the United States Marine Corps shall continue to serve as our Nation's amphibious troops and as a force in instant readiness to protect our Nation and be it further

Resolved That the Secretary of the Commonwealth is hereby directed to forward certified copies of this resolution to the President of the United States the President pro tempore of the United States Senate the Speaker of the House of Representatives of the United States the Secretary of the Navy the Commandant of the United States Marine Corps and members of the Congressional delegation from the Commonwealth of Pennsylvania

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair might state that there was an error made in the printing of the resolution. As printed it appears that the resolution was reported from the Committee on Military Affairs. It was considered and reported out by the Committee on Rules. When the resolution is reprinted this correction will be made.

Mr. LAYER. Mr. Speaker, I offer the following amendment:

Amend Preamble, page 1, 3rd paragraph of Preamble, first and second lines of paragraph, by striking out the words "alone of all the elements of our armed services".

Amend Preamble, page 1, 3rd paragraph of Preamble, last line of paragraph, by striking out the word "the" and inserting in lieu thereof "a".

Amend resolved clause, page 2, line 6, by striking out after the word the "Secretary of the Commonwealth" and inserting in lieu thereof "Chief Clerk of the House of Representatives."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House adopt the resolution as amended?

Mr. NEFF. Mr. Speaker, I offer the following amendment:

Amend Resolution, page 1, 3rd paragraph of Preamble, by striking out the entire paragraph.

On the question,

Will the House agree to the amendment?

Mr. LAYER. Mr. Speaker, the amendments offered by Mr. Neff have already been taken care of by the amendments which we have offered and adopted in the House. All those features that the gentleman objected to—I went over to them and they said it would take the objectionable part out of the resolution. I ask that this amendment be voted down.

Mr. NEFF. Mr. Speaker, it is true that the gentleman from Delaware, Mr. Layer, has submitted amendments which have removed part of the phraseology which was objectionable to some of the Members. However, we are not satisfied with that, and we ask for a vote on the amendment which deletes the third paragraph. This paragraph begins: "Whereas the Marine Corps alone—". That paragraph we believe is not essential to the resolution, and we ask for the adoption of this amendment.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, 46 Members voting in the affirmative and 88 in the negative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House adopt the resolution as amended?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. LAYER. Mr. Speaker, I would like to thank the gentleman that opposed the resolution first, for voting for the adoption of the resolution.

The SPEAKER. The Chair also thanks the gentleman.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

RESOLUTIONS

Mr. IMBT offered a resolution which was laid over under the rules.

Mr. ERB offered a resolution which was laid over under the rules.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SARRAF asked and obtained unanimous consent to add the names of all the Members of the Allegheny County delegation to a resolution he was about to introduce.

CONGRATULATORY RESOLUTION

Mr. SARRAF and all the Members of the Allegheny County delegation offered a resolution which was read, considered and adopted as follows.

In the House of Representatives, June 9, 1947.

Whereas, the 9th day of June, 1947, is the 33rd anniversary of the birth of the Honorable Daniel A. Verona, and

Whereas, since 1940 Mr. Verona has capably performed his duties as a Member of the House of Representatives, and

Whereas, Mr. Verona has reflected credit upon himself and his community in carrying on in an exemplary manner the tradition of public service and devotion to the common good which his father whose reputation as a leader of his fellow citizens in the third ward of Pittsburgh earned him a state wide reputation as a public spirited member of the community, passed on to him, and

Whereas, Mr. Verona's personal charm and gay manner have endeared him to his colleagues and have added to his reputation as an outstanding person and as a leader, therefore be it

Resolved, That this House of Representatives wishes Daniel A. Verona a very happy thirty-third birthday, in addition to continued success and happiness, and be it further

Resolved, That a copy of this resolution be presented to the Honorable Daniel A. Verona.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Verona.

Mr. VERONA. Mr. Speaker, this is my birthday and I wish to thank the Members of the House. I might say that four terms ago I was taken for a page boy by Ellwood Turner. I thank you gentlemen; it is a pleasure being here with you-all.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from is Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1035

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1035, Printer's No. 649, for further consideration and amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. CORDIER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. STONIER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Cordier vote on the final passage of this bill?

Mr. CORDIER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Stonier, vote on the final passage of this bill?

Mr. STONIER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CORDIER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Mr. CORDIER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 7 by underscoring after the word "collector" and before the words "to collect" the following: "for such period of time as herein provided".

Amend Section 1, page 4, line 19 by inserting after the word "defaulting" and before the word "tax" the following: "or deceased".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 873.

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 3, by striking out the words "forty-eight" and inserting in lieu thereof the words "forty-one".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Bretsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dalrymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Lelsey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Flsh,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarra,	Lichtenwalter,
Floor,	McCormack,		Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. JOHNSON from the Committee on State Government, reported as committed, House Bill No. 116, entitled:

An Act to further amend Article III of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teacher's College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several

administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provisions thereof.

Mr. WEISS from the Committee on Education, reported as committed, House Bill No. 556, entitled:

An Act to further amend the second paragraph of section one thousand four hundred four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," empowering the State Council of Education to prescribe and adopt rules, regulations, standards and qualifications governing the transportation of pupils.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 1047, entitled:

An Act to further amend Act No. 433 approved the first day of June one thousand nine hundred and forty-five entitled "Relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties."

Mr. WEISS from the Committee on State Government reported as committed, House Bill No. 1200, entitled:

An Act to provide for the establishment of a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively; authorizing the survey of broadcasting sites and the purchase of necessary sites and equipment; providing for the construction of a master station and subsidiary stations as needed for state-wide coverage; creating within the Department of Public Instruction, a Division of Radio and Audio-Visual Education; establishing within such division a lending library of recordings, scripts, films and slides; conferring powers and imposing duties upon the Superintendent and Department of Public Instruction; and appropriating funds for such developments.

Mr. LAYER from the Committee on State Government, reported as committed, House Bill No. 1219, entitled:

An Act to further amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government; providing for the appointment of its members; and defining its powers and duties," by further defining the powers and duties of the commission.

Mr. VAUGHN from the Committee on Counties, reported as committed, House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of the fifth class.

Mr. GORMAN from the Committee on State Government, reported as committed, Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof.

Mr. COOPER from the Committee on State Government, reported as committed, Senate Bill No. 807, entitled:

An Act to amend Section 7 of the act approved the 16th day of May A. D. 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue re funding bonds" by adding sub-section (d) thereto providing for salaries for appointed members of the Commission.

Mr. HORAN from the Committee on Cities and County—Second Class, re-reported as committed, House Bill No. 105, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act to further amend Article III of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, in-

cluding the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of deputies and all other assistants and employees of certain departments, boards and commissions shall be determined" requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act to further amend the second paragraph of section one thousand four hundred four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," empowering the State Council of Education to prescribe and adopt rules, regulations, standards and qualifications governing the transportation of pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1047, entitled:

An Act to further amend Act No. 433 approved the first day of June one thousand nine hundred and forty-five entitled "Relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1200, entitled:

An Act to provide for the establishment of a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively; authorizing the survey of broadcasting sites and the purchase of necessary sites and equipment; providing for the construction of a master station and subsidiary stations as needed for statewide coverage; creating within the Department of Public

Instruction, a Division of Radio and Audio-Visual Education; establishing within such division a lending library of recordings, scripts, films and slides; conferring powers of Public Instruction; and appropriating funds for such developments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1219, entitled:

An Act to further amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," by further defining the powers and duties of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of the fifth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 807, entitled:

An Act to amend Section 7 of the act approved the 16th day of May A D 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and res-

toration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding sub-section (d) thereto providing for salaries for appointed members of the Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CONDOLENCE RESOLUTION

Messrs. WORLEY and NELSON offered a resolution which was read, considered and adopted as follows.

In the House of Representatives, June 9, 1947.

The House of Representatives wishes to record the death of C. Frank Gillan, a former member of this House from 1939 until 1944, who died on February 24, 1947.

Mr. C. Frank Gillan, was born at St. Thomas, Franklin County, on December 15, 1883, and spent most of his life as a resident of St. Thomas where he was ever devoted to the betterment of his community.

He attended St. Thomas Township grade and teacher training schools, Mercersburg Academy and Franklin and Marshall College, from which later institution he received the degree of Bachelor of Philosophy. For a number of years he taught school and later he entered the fruit growing business and helped make the production of fruit an important business in Franklin County.

He will be remembered by his colleagues here at the House and by his friends, for his good common sense and advice and for his kindness! be it therefore

Resolved, That the House of Representatives mourns the passing of this distinguished citizen of Pennsylvania, and be it further

Resolved, That a copy of this resolution be sent by the Chief Clerk of the House to this deceased Member's widow and family, as a token of the House of Representatives sincere sympathy for them and as an expression of their mindfulness of his worth.

RESOLUTION

Mr. WEISS offered a resolution which was laid over under the rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 216.

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation

HOUSE BILL No. 268.

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters.

HOUSE BILL No. 303.

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

HOUSE BILL No. 587.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

HOUSE BILL No. 687.

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others.

HOUSE BILL No. 688.

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

HOUSE BILL No. 701.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

HOUSE BILL No. 713.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

HOUSE BILL No. 737.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

HOUSE BILL No. 738.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth.

HOUSE BILL No. 739.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy."

HOUSE BILL No. 840.

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education.

HOUSE BILL No. 843.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

HOUSE BILL No. 918.

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

HOUSE BILL No. 928.

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs.

HOUSE BILL No. 1004.

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property.

HOUSE BILL No. 1006.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

HOUSE BILL No. 1243.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

HOUSE BILL No. 1245.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

HOUSE BILL No. 1246.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

HOUSE BILL No. 1247.

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

HOUSE BILL No. 1248.

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

HOUSE BILL No. 1250.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

HOUSE BILL No. 1251.

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

HOUSE BILL No. 1252.

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

HOUSE BILL No. 1253.

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

HOUSE BILL No. 1254.

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

HOUSE BILL No. 1255.

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board, to

meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

HOUSE BILL No. 1256.

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

HOUSE BILL No. 1257.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

HOUSE BILL No. 1258.

An Act making an appropriation to the Downingtown Industrial Agricultural School Downingtown Pennsylvania.

HOUSE BILL No. 1259.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

HOUSE BILL No. 1260.

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

HOUSE BILL No. 1262.

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

HOUSE BILL No. 1263

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

HOUSE BILL No. 1264.

An Act making an appropriation to the several five companies of the City of Harrisburg Pennsylvania

HOUSE BILL No. 1265

An Act making an appropriation for the purpose of maintaining the public road and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 1266.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

HOUSE BILL No. 1267.

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

HOUSE BILL No. 1268.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

HOUSE BILL No. 1269.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

HOUSE BILL No. 1270.

An Act making an appropriation to aid certain school districts

HOUSE BILL No. 1271.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

HOUSE BILL No. 1272.

An Act making an appropriation of moneys in the Motor License fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

HOUSE BILL No. 1276.

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeoman (female) and nurses

HOUSE BILL No. 1277.

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 1336.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said schools

SENATE BILL No. 26.

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amount of payments by the State in certain cases

SENATE BILL No. 101.

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 26) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the numbers of employees in certain cases

SENATE BILL No. 139.

An Act to add section nineteen point one to the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property and Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for the acceptance of said act by cities.

SENATE BILL No. 274.

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain tract of land and a certain right of way in the Township of Uper Saint Clair County of Allegheny Pennsylvania

SENATE BILL No. 383.

An Act to amend the title and the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" by further prescribing the powers of said licensees and the Secretary of Banking and further regulating the granting of said licenses and the loans charges interest and refunds to be made or collected by such licensees

SENATE BILL No. 436.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the perservation and permanent casing of battle flags and war relics

SENATE BILL No. 477.

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or the General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such instiution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welafer and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

SENATE BILL No. 523.

An Act to further amend paragraph four of Subsection A of Section one thousand one of the act approved the

fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further regulating the making of installment loans.

SENATE BILL No. 569.

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class.

SENATE BILL No. 574.

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes.

SENATE BILL No. 589.

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages.

SENATE BILL No. 626.

An Act to amend section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating

and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

SENATE BILL No. 642.

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employes defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

SENATE BILL No. 710.

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regu-

lation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

SENATE BILL No. 712.

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. EVANS. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 10, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 7:45 p. m.) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., TUESDAY, JUNE 10, 1947.

No. 72.

SENATE

TUESDAY, June 10, 1947.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Berks, Doctor Ruth.

Thou all-wise Creator and Ruler of the Universe, as we come to Thee this afternoon, we pray sincerely that Thou wilt give us a larger share of Thy wisdom that we may meet the involved problems that life has presented to us, and that we may bring forth solutions that will be beneficial to our people and be to the honor and glory of Thy great name. Use us each day everywhere to do Thy will.

We ask it in Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN, and Mr. HEYBURN, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. WADE asked and obtained leave of absence for Mr. DONLAN, on account of illness.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 10, 1947.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Gladys H. Herold, 1103 Law and Finance Bldg., Pittsburgh.

Edward J. Michel, 718 N. Homewood Ave., Pittsburgh.

Joseph Rots, 4311 Saline St., Pittsburgh 17.

Mrs. Marguerite E. Schreiner, County Office Bldg, Pittsburgh.

Norman S. Snyder, Wilkinsburg.

Mrs. Wilma H. Vlha, 5866 Baum Blvd., Pittsburgh.

ARMSTRONG COUNTY

Miss Bertha P. Smail, Kittanning.

CAMBRIA COUNTY

Mrs. Irene Fesko, East Conemaugh.

CHESTER COUNTY

Mrs. Lenore S. Lewis, West Chester.

CLINTON COUNTY

Mrs. Inez J. Marshall, Chapman Twp., 1109 Central Ave., Renovo.

DELAWARE COUNTY

John E. Jones, Media.

LACKAWANNA COUNTY

Edward A. Gerhardt, Carbondale.

Mrs. Agnes M. Shander, Blakely.

LEHIGH COUNTY

Francis F. Ritter, Allentown.

LUZERNE COUNTY

John B. Jones, Plymouth.

MONTGOMERY COUNTY

Miss Alta E. Geyer, Whitpain Twp., Wings Field, Ambler.

PHILADELPHIA COUNTY

William A. Adams, 5151 Frankford Ave., Phila.

Miss Dorothy E. McBride, 1616 Walnut St., Phila.

Miss Pauline Romano, 1622-28 W. Passyunk Ave., Phila.

Cleophas J. Watson, Pioneer Paper Stock Co., 22nd and Westmoreland Sts., Phila.

SNYDER COUNTY

Mrs. Rachel A. Zellner, Beavertown.

VENANGO COUNTY

D. K. Anderson, Oil City.

WESTMORELAND COUNTY

Perry C. Altman, Greensburg.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. HEYBURN and Mr. WADE. That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Tyler,
Berger,	Hare,	Mallery,	Wade,
Blass,	Heyburn,	Margie,	Wagner,
Carr,	Holland,	Rahouser,	Walker,
Chapman,	Homsher,	Rosenfeld,	Watson,
Crider,	Jaspan,	Ruth,	Wilson,
Crowe,	Kephart,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	Taylor,
Frazier,			Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Quentin E. Berkey, Newry, Blair County, for appointment as Justice of the Peace in and for the Borough of Newry, Blair County, until the first Monday of January, 1948, vice Mrs. Ethel Beigle, resigned.

JAMES H. DUFF.

MEMBERS OF THE PENNSYLVANIA LABOR RELATIONS BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1949.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Pennsylvania Labor Relations Board:

Darrell W. Smiley, 12 Byrer Avenue, Uniontown, Fayette County, to serve until June 2, 1953, and until his successor shall have been appointed and qualified.

Malcolm B. Petriken, Esq., 408 Market Street, Chester,

Delaware County, from June 4, 1945, until June 2, 1951, and until his successor shall have been appointed and qualified.

Leo Abernathy, 1281 Bellrock Street, Pittsburgh, Allegheny County, from May 22, 1945, until June 2, 1949, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further regulating the vacation leave and sick leave to which State employees are entitled with pay.

Which was committed to the Committee on State Government.

House Bill No. 492, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," by increasing the compensation and raising the maximum compensation in certain cases.

Which was committed to the Committee on Elections.

House Bill No. 551, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering cities, boroughs, incorporated towns, and townships to charge and collect annual rentals for the use of certain sewers, sewage systems and treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon," clarifying and extending the provisions thereof with respect to the purpose for which and the circumstances under which sewer rentals may be imposed; and adding to such purposes.

Which was committed to the Committee on Local Government.

House Bill No. 763, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing maximum per diem compensation of members of the State Civil Service Commission allowable in any one year.

Which was committed to the Committee on State Government.

House Bill No. 800, entitled:

An Act empowering political subdivisions (except cities of the first class counties of the first class and school districts of the first class) to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced.

Which was committed to the Committee on Local Government.

House Bill No. 1090, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for medical examiners in lieu of medical inspectors, and prescribing their duties, making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

Which was committed to the Committee on Education.

House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven.

Which was committed to the Committee on Appropriations.

SENATE BILL No. 33 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 22

He also returned to the Senate, Senate Bill No. 22, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798, No. 591) entitled "An act providing a fixed charge, payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks, and the distribution of the same for county, school, township, and road purposes, in the counties, school districts and townships where such forests are located; and making an appropriation," increasing the amounts which the counties will receive from the State for forest reserves.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 202

He also returned to the Senate, Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges' abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical, training and employment services to certain blind persons.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 562

He also returned to the Senate, Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act, approved the sixth day of April, nineteen hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 617.

He also returned to the Senate, Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 732.

He also returned to the Senate, Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative department, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 743.

He also returned to the Senate, Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 778.

He also returned to the Senate, Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of

certain property to counties, cities, wards, boroughs, townships institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, borough, townships, institution district and other political subdivisions from maintaining and operating institutions in whole or in part; for the care and treatment of mental patients; and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 873.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 873, entitled:

An Act to repeal the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and re-assignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows:

CONTINUATION OF THE UNITED STATES MARINE CORPS

In the House of Representatives, May 26, 1947.

Whereas, The United States Marine Corps has been a shining example of faithful and efficient service to our Nation for more than 172 years, and

Whereas, The United States Marine Corps has been a source of strength whenever our Nation has been threatened, and

Whereas, The United States Marine Corps, alone of all the elements of our armed services, possessed the vision to develop the science of waging amphibious warfare, which knowledge permitted our Nation's offensive might to be carried to enemy shores and which proved to be the key to victory in a global war, and

Whereas, 50,872 of the young men of this Commonwealth of Pennsylvania have served our Nation during World War II in the United States Marine Corps, and

Whereas, The United States Marine Corps is threatened with extinction if the merger bill now pending in the Congress of the United States is passed in its present form, and

Whereas, The abolition of the United States Marine Corps would be a disastrous loss to our Nation, therefore be it

Resolved, (If the Senate concurs) That the existence of

the United States Marine Corps be assured by amendment to any merger bill, such amendment specifically providing that the United States Marine Corps shall continue to serve as our Nation's amphibious troops and as a force in instant readiness to protect our Nation, and be it further

Resolved, That the Secretary of the Commonwealth is hereby directed to forward certified copies of this resolution to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives of the United States, the Secretary of the Navy, the Commandant of the United State Marine Corps, and members of the Congressional delegation from the Commonwealth of Pennsylvania.

RULE 39 SUSPENDED

Mr. TALLMAN. Mr. President, I ask unanimous consent that rule 39, which require resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. TALLMAN. Mr. President, I deeply regret that Senator Donlan is not on the Senate floor at this time, as he was a Captain in the Marine Corps and lost one of his legs at Iwo Jima, to make the motion that the Senate concur in the House Resolution just read.

In his behalf, Mr. President, if I may, I move that the Senate concur in the resolution just read.

Mr. WALKER. I second the motion, Mr. President.

It was agreed to.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 22, entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine P. L. 1798, No. 591), entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks, and the distribution of the same for county, school, township, and road purposes, in the counties, school districts, and townships where such forests are located: and making an appropriation," increasing the amounts which the counties will receive from the State for forest reserves.

Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and

officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical, training and employment services to certain blind persons.

House Bill No. 216, entitled:

An Act creating a commission to study the educational facilities and needs of the citizens in certain educational fields; the financing, administration and other features of collegiate institutions; prescribing the powers and duties; and making an appropriation.

House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton, Northampton County, Pennsylvania damaged by flood waters.

House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April, nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situated in Delaware County, Pennsylvania.

Senate Bill No. 617, entitled:

An Act to reenact and amend sections four hundred ninety-six, four hundred ninety-six point one, four hundred ninety-six point two, four hundred ninety-six point three, and four hundred ninety-six point four, of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," authorizing eighth class counties to acquire, operate and lease aviation landing fields and airdromes; conferring power of eminent domain for such purposes; authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other political subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State, Federal or other public agencies.

House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children, as well as family groups, industrial workers, and others.

House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

House Bill No. 715, entitled:

An Act to amend the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599), entitled "Sunday Motion Pictures Act," by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year.

House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters.

House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth.

House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania known as "Old Economy."

Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patient of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education.

House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police, to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney, Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

House Bill No. 850, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "State Employees Retirement Law," by further defining State employes to include certain employes of the Department of Highways.

House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads, paths and parking areas on the Daniel Boone Homestead property.

House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates

House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

House Bill No. 1247, entitled:

An Act making an appropriation to the Moore institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia.

House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State Employees receiving compensation from the Fish Fund.

House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board, to meet obligations of the Commonwealth to the State Employees' Retirement System with respect to the State employees receiving compensation from the Game Fund.

House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

House Bill No. 1256, entitled:

Making an appropriation from the State Stores Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies, for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund, and service requirements on the State debt.

House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public

non-sectarian county libraries, and for the purchase and transportation of books.

House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridge thereon, through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania Veterans of any war or their dependants, for participation in certain defense activities, for the rehabilitation and care of veterans including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools, situate in Delaware County, Pennsylvania.

House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry, to meet the obligation of the Commonwealth, to pay a part of the compensation payable for certain occupational diseases.

House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of certain soldiers, marines, female field clerks, yeomen (female) and nurses.

House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

House Bill No. 1336, entitled:

An Act making an appropriation to the Bureau Manual

Training School, at Philadelphia Pennsylvania, for the purpose of the maintenance of said school.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time the Chair calls the gentleman from Allegheny, Mr. WALKER, to the rostrum to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

STATEMENT BY THE PRESIDING OFFICER

The PRESIDING OFFICER. The Chair has been requested by the members of the Senate to ask guests of the Senate who are occupying the cloakroom to the rear of the rostrum to please leave and take places out front. The cloakroom is for the use of members of the Senate.

The Chair is also requested to ask guests on the outside of the rail to please refrain from discussions or conversations. All conferences will be held in the conference room to the rear of the Chamber.

We must have order in the Senate during the session.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and members of the Senate, once again I am obliged to read into the record an article appearing in the Philadelphia Inquirer, as of today. This article is entitled "Meat Prices Hit All-Time Highs Here," and is as follows:

"MEAT PRICES HIT ALL TIME HIGHS HERE

"Floods, May Holidays Blamed by Dealers for 'Flash Shortage'

"Prices in Philadelphia's wholesale and retail meat markets soared to all-time high levels yesterday as a flash shortage, which caught the industry completely off guard, gathered momentum.

"Retail quotations yesterday ranged from eight to 11 cents a pound above the previous Monday, while one major wholesale buyer said the price of live beef in the nearby livestock markets had risen from \$2 to \$4 a hundred-weight above a week ago.

"Predictions of the length of the shortage and its resultant price rises ranged from "a temporary condition," to "until the end of the year" because of heavy Army and Navy contract commitments and exportations to stricken countries.

"John C. Deindorfer executive secretary of both the Pennsylvania Association of Retail Meat Dealers and the Philadelphia Retail Meat Dealers Association, said the "sudden rise in meat prices takes the industry by complete surprise."

"The cause has been attributed variously to late May holidays that decreased slaughtering volumes, floods in the West and Middle West have reduced shipments, and the reluctance of some of the smaller wholesalers to go into the market at prevailing price levels in the face of overwhelming livestock reservoirs piling up in Chicago.

"Frank Kleinberg, general manager of the South Phila-

delphia Dressed Beef Co., who blamed "balking wholesalers" for the peak prices, said he did not expect "any cheap meat for the rest of the year." Kleinberg said he expected a "definite shortage" in the near future.

"He said that as of yesterday there were 17,000 more head of cattle on the Chicago livestock markets than there were a week ago but the asking price was higher nevertheless.

"The immediate effect here, according to a check of shops, was a complete disappearance of beef, pork, lamb, and veal from some of the smaller markets. One Jenkintown retail market operator said that by mid-morning last Saturday the stock of his shop and a dozen more neighborhood shops had been sold out. Conditions, he predicted, would be worse this week-end.

"Retailers reported that wholesale prices jumped from five to eight cents a pound yesterday over the previous week. The increase, when passed on to the consumer, would be almost double those quotations, it was pointed out.

"A spokesman for one of the larger chain stores said the full impact of the shortage had not yet been felt in that class of shop. Heavier backlogs and better "opportunity to shop around" gave them better and more constant supplies, he said."

Ladies and gentlemen of the Senate, once again the packer, the slaughterer, and wholesale dealers in the state of Pennsylvania, as well as in other states throughout the Union, are playing fast and loose with the public. How long this condition will continue to exist is a matter of conjecture. However, this much is certain, that high prices, with the consequent increased cost of living, are reducing the average man's resources to the vanishing point and definitely hastening the day of depression.

May I refresh your memories and state that during the O. P. A. days the packer, the slaughterer and wholesale meat man promised lower prices upon the lifting of controls. What happened after the breakdown of controls? The reverse is true. Higher and higher prices. The meat man loathed controls during the O. P. A. but he apparently does not realize that in his greed and avariciousness sooner or later the government must once again take over to protect the public against the meat man's shortsighted policy of gouging.

The meat industry is seizing every opportunity and pretext possible to increase the prices of meat. I can appreciate the need for high prices to save an industry, but the fact is that everyone associated with the meat industry, both during and after the war, have accumulated fortunes and hence they are not in any danger whatsoever.

One of the officials of a meat company only yesterday stated there were seventeen thousand more head of cattle on the Chicago livestock market than there were a week ago, but the asking price was higher nevertheless. How can anyone explain such conduct? I think I can attribute it to their greed and selfishness. Sock the public, sock the poor, seems to be the order of the day. The people are too dumb, in the eyes of the meat men, they will pay if a scarcity is created. The policy, I say, as adopted by the meat men, wholesale and retail, is a stupid one and will undoubtedly lead to dire con-

sequences. The legalized method of blackjacking that they now employ will come to naught when an aroused citizenry sooner or later takes over the industry by force. The entire situation is fraught with grave consequences, because people have to eat to live and when a man has no food he will steal and rob, particularly if he has a family.

I warn the meat industry now that they had better put their house in order before it is too late and they had better sell their meats at a price that comes within the range of the wage earner; otherwise the industry will be taken over by the government or by the people.

REPORTS FROM COMMITTEES

Mr. CROWE on behalf of Mr. LETZLER, from the Committee on Education reported as committed House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring periodic revisions of standards of the State Council of Education with reference to school buildings providing for advisory committees in connection therewith and making the type of heating and ventilating systems optional with boards of school directors

Mr. FARRELL, from the Committee on Local Government, reported as amended House Bill No. 316, entitled:

An Act to amend section four of article XVI of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by increasing the salaries of councilmen.

Mr. CRIDER, from the Committee on State Government, reported as amended, House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections; defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing remedies for violations thereof, and imposing penalties.

He also, from the Committee on Agriculture, re-reported as amended, House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of Pennsylvania apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Revenue prescribing penalties and making an appropriation.

Mr. FRAZIER, from the Committee on State Government reported as committed, House Bill No. 360, entitled:

An Act to repeal certain statutes relating to weights and measures.

Mr. TYLER, from the Committee on Banking reported as committed, House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," as amended, to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

Mr. LLOYD H. WOOD, from the Committee on State Government, reported as amended, Senate Bill No. 213, entitled:

An Act to further amend section two hundred nine and subsection (a) of section two hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," raising compensation of the Governor, Lieutenant Governor and the heads of departments.

Mr. WADE, from the Committee on Highways, reported as amended, House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

He also from the Committee on Highways, reported as amended, House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under cer-

tain terms, conditions and limitations of certain streets in cities of the second class, second class A and third class as State highways and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes and adding certain new routes.

He also from the Committee on Highways, reported as amended, House Bill No. 852, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

He also, from the Committee on State Government, reported as committed, Senate Bill No. 288, entitled:

An Act regulating increase in rent upon the lifting of federal rent controls; and prescribing penalties.

Mr. LORD, from the Committee on State Government, reported as committed, House Bill No. 392, entitled:

An Act to further amend section three of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof," changing penalties.

He also, from the Committee on State Government, reported as committed, House Bill No. 427, entitled:

An Act to further amend sections six and seven of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," changing the weight of a bushel of hair (plastering); and exempting from necessity of net quantity being marked thereon, any package containing less than one ounce of liquid or dry commodities; and selling for five cents or less.

He also, from the Committee on State Government, reported as committed, House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Com-

missioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation.

Mr. MALLERY, from the Committee on Local Government, reported as committed, House Bill No. 657, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled, "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class.

He also, from the Committee on Local Government, reported as committed, House Bill No. 933, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments.

Mr. MAHANY, from the Committee on Local Government, reported as amended, House Bill No. 674, entitled:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits.

He also, from the Committee on Local Government, reported as committed, House Bill No. 676, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service.

Mr. GELTZ, from the Committee on Banking, reported as committed, House Bill No. 1107, entitled:

An Act to further amend section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 708) entitled "An act relating to brokers and private bankers" by changing the times for filing returns and for payment of the tax due.

He also, from the Committee on Banking, reported as committed, House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen, and section one thousand seven hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the cus-

tody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1046

Mr. CARR. Mr. President, I present the report of the Committee of Conference on House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels, signs and advertisements.

REPORTS FROM COMMITTEES

Mr. CARR on behalf of Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 714, entitled:

An Act to reenact sections one to nine, inclusive of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803, Act No. 588), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," to make the same applicable to the annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class, and repealing inconsistent laws, excepting as to proceedings now pending.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee

of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations.

He also, from the Committee on Highways, reported as committed, House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing the liquid fuels taxable under the provisions of said act.

Mr. ROSENFELD, from the Committee on Banking, reported as committed, House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

He also, from the Committee on Banking, reported as amended, House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments,

commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," eliminating requirement that certificates of clearance be filed with articles of amendment.

Mr. KLEIN, from the Committee on Local Government, reported as committed, House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose.

He also, from the Committee on State Government, reported as amended, House Bill No. 1185, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts and poor districts to make contracts of life health and accident policies for the benefit of employees thereof and contracts for pensions for such employees and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers.

He also, from the Committee on State Government, reported as committed, House Bill No. 330, entitled:

An Act to amend sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" providing for marking and changing penalties.

He also, from the Committee on State Government reported as committed, House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain department, boards and commissions shall be determined," increasing the salary of the Commissioner of Fisheries.

Mr. RAHAUSER, from the Committee on State Government reported as committed, Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Warren State Hospital, to sell and convey a certain tract of land in the township of Glade, County of Warren, Pennsylvania, but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement.

Mr. WOODRING, from the Committee on Local Government reported as amended, House Bill No. 113, entitled:

An Act to add section eight point one and to amend section thirteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by further providing for the assessment and valuation of buildings under construction and land which has been laid out in building lots

He also, from the Committee on Local Government reported as amended, House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing that the right to participate in the police pension fund, after having been established shall not be forfeited.

Nr. TARR, from the Committee on State Government reported as committed, House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Building Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

He also, from the Committee on State Government reported as committed, House Bill No. 331, entitled:

An Act to further amend clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278), entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream, for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act," regulating contents of Standard Babcock Pipette.

He also, from the Committee on State Government reported as committed, House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employees under the old-age and survivors insurance provisions of the Federal Social Security Act upon the

extensions of the provisions of such Federal act to include such persons.

Mr. BARR, from the Committee on Local Government reported as amended, House Bill No. 654, entitled:

An Act to permit employes of counties cities boroughs towns and townships to accumulate annual sick leave in certain cases

He also on behalf of Mr. WALKER, from the Committee on Judiciary General reported as committed, House Bill No. 236, entitled:

An Act to amend subsections one and two of section nine of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one, (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgments taken without the State shall be authenticated.

He also on behalf of Mr. WALKER, from the Committee on Judiciary General reported as committed, House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," regulating acknowledgments of written instruments made by corporations.

Mr. STEVENSON, from the Committee on Local Government reported as committed, House Bill No. 834, entitled:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employes of the office of the collector of taxes to become members of the city retirement system under certain conditions.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid over for one day under the rules.

MEMBERS OF BRADFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governor's Office Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Bradford County Board of Assistance, to serve until December 31, 1949, and until their successors are duly appointed and qualified:

William R. Most (Republican), Canton, vice Mrs. Marion M. Newman, Canton, whose term expired.

Gerald T. Keeney (Republican), vice Mrs. Florence B. Schrier, Athens, whose term expired.

JAMES H. DUFF.

STATEMENT BY THE PRESIDING OFFICER.

The PRESIDING OFFICER. The Senate will be in order. The Chair is sorry but he is charged with the responsibility of keeping order in the Senate. The room in back of the Senate Chamber must be kept clear of legislative representatives. The Sergeant-at-Arms will remove from the back room all those who do not belong there. The legislative engineers will please occupy a position beyond the railed enclosure.

The Chair has been requested to make that announcement and this is the third time it has been made.

The representatives of departments will please take positions outside the rail. The back room must be cleared.

BILLS INTRODUCED AND REFERRED

Mr. T. NEWELL WOOD read in his place and presented to the Chair Senate Bill No. 866, entitled:

An Act relating to the regulation, control and stabilization of rents in housing accommodations during an emergency, creating a temporary state housing rent commission, prescribing its powers and duties and making an appropriation.

Which was committed to the Committee on State Government.

Mr. BECKER on behalf of Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits.

Which was committed to the Committee on Judiciary General.

Mr. HOLLAND. Mr. President, I realize that the Session is drawing to a close and that this is a late hour to introduce bills, but the bill I am about to introduce, I believe all of you will agree, should be passed in this Session.

When the turnpike of Pennsylvania was created, we had in mind merely serving the people of Pennsylvania. It was a radical departure in constructing highways. Many people prophesied it would be a white elephant. However, we now find that even its foes of the early days are now the best boosters.

The building of a turnpike, similar to ours, is being contemplated by the states of Ohio, West Virginia and Indiana. I have been informed by Ohio officials that when the building of a turnpike is being discussed, the question of cooperation between adjoining states becomes their great point of difference. They further advised that legislation similar to the Ohio River Valley Anti-Stream Pollution Compact must be passed by the four states before the dream of a turnpike from the eastern boundary of Pennsylvania to the western boundary of Indiana can be realized.

There is no use of building a turnpike that ends at any one state line, without plans being made to have it connect with a turnpike of the other state.

The bill I am about to introduce creates, through an interstate turnpike commission, the means by which an agreement can be reached between the Commonwealth of

Pennsylvania and the states of Ohio, West Virginia and Indiana. This does not in any way effect our sovereign rights in managing the Pennsylvania Turnpike Commission. All it provides is for our turnpike commissioners to work with the turnpike commissioners of the three other states. First, to agree on the continuation of the turnpike through these states and to make arrangements for tolls and other matters that would pertain to through traffic starting in Indiana and continuing to the New York State line. Since our turnpike is constructed, our experiences would be quite valuable to these other states. I might add that this legislation that I am presenting will be used as a model act by the three other states.

I am asking this session to pass it in the dying days so that these other states can pass enabling legislation and that by the next session of the Legislature, the plans between these states will be effected and the Turnpike Commission of our state shall play an important part in creating this superhighway.

Messrs. HOLLAND, HEYBURN, SNOWDEN, DENT and WADE read in place and presented to the Chair Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania, and the States of Ohio, West Virginia and Indiana in the construction, operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike, as authorized to be extended, to the western border of Indiana; authorizing the Governor for these purposes to enter into an agreement with the States in question; creating an Inter-State Turnpike Commission and defining its powers and duties, including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, in considering the many teachers' bills before the Senate I believe it should be pointed out to the Senate different inequities which exist in certain bills, because I believe, of all the bills presented, at the last minute the best of these bills will be put into one bill, which will be the master bill.

Senate Bill No. 834 is a very bad bill for many reasons—so many reasons that to enumerate all of them would be practically impossible. It is inconceivable that a bill could come out of this session mandating lower salaries for teachers than those provided in Act 403 of the 1945 Session, but Senate Bill 834 actually accomplishes this ridiculous situation. To be specific, there are teachers in Philadelphia and Pittsburgh of whom I know who do not have degrees. Under Act 403, they can reach salaries of \$3,000 per year; Senate Bill 834 provides a top of \$2,700 for these teachers.

The idea of promotional increments is a practical impossibility, too. On paper and in theory the idea sounds good. But practically, administering such a scheme just will not work. My sisters taught in the Pittsburgh public schools where they once tried merit rating—and it did not work. It looks as though the present administration wanted to say to the whole Nation: "Pennsylvania pays its

teachers up to \$4,800 by law." Under this bill, the top salary in first class districts is actually \$3,600; that is, after six years of teaching with a Master's Degree. Teachers have been tossed a bone, promotional increments, with the implied thought that they can fight it out among themselves for the salaries above the \$3,600 level.

But, that is only one objection and not the most serious objection to Senate Bill 834. Under this bill, the Commonwealth of Pennsylvania again dodges its responsibility for assuming the cost of public education. Subsidies for public schools are inadequate—the greatest subsidy per pupil in elementary schools would be \$73 for 1946-47 and \$77 for 1947-48. The minimum subsidy provisions are assinine in their unfairness. Using the same basis of calculation of 30 pupils per teacher in an elementary teaching unit, the bill proposes a reimbursement of \$23 per pupil for both 1946-47 and 1947-48. Now, we all know Pennsylvania is a poor State, but if California can subsidize public education by paying at least \$90 per pupil per year from state funds up to \$120 per pupil per year, Pennsylvania should be able to do a little better than \$23 minimum and \$73 maximum for the children in this state. After all, the administration plans to spend \$82,000,000 for the next two years on approximately 50,000 mental patients, which means \$16,400 per patient. It ought to be able to find better than \$23 to \$73 for children in elementary schools.

Then there is the totally inequitable way the money that is available is distributed. Practically no one understands how the ridiculously complicated formula for state subsidies works, but when you study the system, you really have your eyes opened. Some districts are getting the gravy, while some are taking a shellacing. The whole system is tied to real estate assessments and no more inequitable way to distribute money could be devised. If any one thing in this state could provide an unequal basis for dividing up state money for schools, it is real estate assessments. Of course, we are told all this can be corrected in time if this body will only pass the legislation. That would take years even if it were tried, and in the meantime, Senate Bill 834 continues the present monstrous inequity.

Let us look at some specific examples. After meandering through a lot of useless arithmetic, you come out with a reimbursement fraction. You get this fraction by a formula that is practically unintelligible but results in putting a premium on low assessments. Take a school district, for instance, whose reimbursement fraction is .9800, and there are some with fractions that high. When you work back into the formula you find that such a district has \$7,200 of real estate wealth back of a teaching unit of 30 elementary pupils. The obvious conclusions here are that:

1. Either, like the old woman who lived in the shoe, the district produces enormously large families—one \$7,200 house producing 30 children, or

2. The people have normal families, say two children per family, and 15 families own \$7,200 in real estate which figures out to \$480 per home, in which case they live in chicken coops, or

3. Real estate assessments are iniquitously low.

The last conclusion is the correct one. Last year, the state calculated subsidies on a basis of a total of 8.2 billion of real estate assessments. 4.5 billions of this total, or 55 per cent of all the real estate assessments, were in the

two counties of Philadelphia and Allegheny, including Pittsburgh.

In dollars, subsidies now range from \$600 to \$1,750. No one can argue against an equalization program—all children in Pennsylvania deserve a good education—but, an equalization program should equalize, not discriminate.

Let us look at the picture that Senate Bill 834 would further aggravate from another angle. The average district now gets \$1,500 per teaching unit. That means half of the 2,543 districts now get more than \$1,500. Senate Bill 834 would increase the average by \$350 for 1946-47 and over \$400 for 1947-48. The minimum would increase only \$100 for both years. In other words, this bill piles more and more on the top subsidies and discriminates still further against districts getting the minimum.

There is a stupid idea that the districts getting the minimum are rich districts, and those with high reimbursement fractions are poor. Again, I say nothing could be further from the truth. Because of the discrepancy in real estate assessments, Dormont, a school district in my county, which is purely residential, with modest homes but high assessments, now gets the minimum of \$600. Williamsport gets \$1,418 per teaching unit now. Under Senate Bill 834, Dormont would get \$700 and Williamsport would get over \$1,700 for 1946-47 and over \$1,800 for 1947-48. This is just one example of hundreds that I could bring before this Senate of the unjust way in which the subsidy system works.

Gentlemen of the Senate, the only sensible way to distribute state money is to put it on a per-pupil basis. That, I know, is impossible at this session. But, we can do something to rectify the injustice and inequity of the system now. The 78 districts throughout the state that are now being penalized for honest real estate assessments deserve redress in the name of common fairness and decency. The minimum subsidy should be raised to at least \$1,000 for the biennium. This would not cure the situation—far from it. But, it would help materially those districts which will suffer under Senate Bill 834 and it would demonstrate that this Senate refuses to be put in the position of robbing districts whose assessments are high and which pay a large share of the cost of state government.

PERMISSION TO ADDRESS SENATE

Mr. ROSENFELD asked and obtained unanimous consent to address the Senate.

Mr. ROSENFELD. Mr. President it may be that what I am about to discuss may not be received as being in good taste—but I assure you and members of this body that I have considered it long and carefully and have determined that I would be justified.

The matter I will talk upon is the much discussed but little understood fair employment practice legislation.

As Americans, some of us are concerned with its basic ideals and put them to practice whenever possible—but most of us—depending upon circumstances merely give lip service to those ideals and when faced with the application of them—neglect to do so. And then, of course there are those few who not only do not believe in them, but who exhort others to believe likewise.

I am trying to focus attention upon our moral sense of values as citizens—as individual citizens—compared

to our attitude when hiding behind the cloak of group action. I am certain it is with some feeling of guilt that many of us talk about equality—the equal opportunity that exists only theoretically in our democracy—because we are horribly aware of its lack of actual existence.

From time immemorial—unfortunately—the accident of birth has been considered the most determining important factor in the life success and happiness of an individual. The unfairness of that attitude was one of the factors that gave birth to our democratic system and the Civil War was fought to save this ideal. The two recent wars were fought in a sense to preserve those principles and yet during the entire course of democratic history—good and bad—through peace and war—they have remained more or less principles only. Ideals for thought and speech but not for practice and action.

In the last eight years this unhealthy condition was officially recognized in problems involving employment practices and the Federal Government by executive order and the states of New York, Massachusetts, Connecticut, New Jersey and Indiana and the cities of Chicago and Minneapolis enacted legislation to apply those idealistic principles to practice.

I am happy to say that the provisions of those decrees and laws have been applied successfully and to nobody's detriment. As a matter of fact the moral good that has developed from the application of fair practices in employment has been the greatest accomplishment of these laws.

It may very well be that many of you from the rural districts have not encountered this problem and can not therefore understand or appreciate the importance that some of us attach to it. It may very well be that not any of you has ever lost a job because of your religious beliefs or that you do not know of the thousands who have been refused jobs because of their color or religious beliefs. If that is true, gentlemen, then I must ask you to take my word for the fact that such conditions exist, particularly in our urban centers.

I say to you, Mr. President and gentlemen, there is nothing worse than suffering this experience. At such a moment one wonders about this democracy and doubts very much whether it is really the factual ideal towards which thinking civilization clings as a last hope.

You must be made to understand what goes on in a man's mind when he is told, "I am sorry, we will have to let you go, our policy is, against hiring Italians or Irish" or "we are sorry we can not employ you as we do not hire negroes or Jews."

Are these the results of the application of our democratic ideals to practice—and yet none of us would dare accuse such people of unamericanism. Our best people practice it—blindly—as I know they are not consciously hypocrites.

This is the weak spot through which the Communists drive their wedge into Americanism and our Governor is correct when he states that the Communists only give lip service to such a law. They do not want us to pass it because they will then lose one of their best basic arguments for Communism.

Mr. President and gentlemen, the passage of fair employment practice legislation does not mean, nor is it intended to mean, that one must hire or upgrade a partic-

ular individual. Certainly it does not mean, as I have heard it expressed by some, that one must consort with, live with or do anything else with minorities.

It means merely that an employer can not refuse to hire or upgrade an employe solely by reason of his race, religion or national origin. It means that an employer will not be able to say—"I am sorry, we do not employ Negroes" or "I am sorry, our policy is not to have poles as foremen in this plant." No one will any longer have to feel sorry about any of these things and the moral effect upon employer and employe alike in the knowledge that we are practicing what we preach will renew everyone's faith in the principles of our democracy.

It is no answer to state that we can not legislate moral values. The fact that we legislate against crime is an indication that we are forced to do so because we have no alternative.

We do know that the great majority of Americans are law abiding and while it is true there will be some subterfuge and evasion—we know from experience already obtained in the operation of the act elsewhere, that it has worked wonderfully well and many people are now convinced that the creation of each of us as individuals with equal opportunity is not just an expression but a fact. A feeling of security, towards which all of us strive, has attached to the minority employe who is beginning to push his head up towards the sun and to think to himself that this country for which he fought and his brothers died is not such a bad place after all. A new appreciation and a new understanding of democracy.

Mr. President and gentleman, it is this same new understanding of you and by you that I ask today. There is nothing political in my request and it is for that reason that I refuse to consider this a matter requiring a committee discharge resolution. Both party platforms approved such legislation. If I felt this was a matter of politics only, I would keep quiet and upon your failure to enact legislation I would accuse you of breaking a promise. Instead gentlemen, I ask you only to keep your promise to the citizens of this Commonwealth. Our Governor has asked too that you keep your promise. The House Labor Committee this afternoon refused to honor his request and by a secret vote killed the proposal. Why, I do not know, except perhaps that members of that committee are confused and do not understand the purposes of the act.

The responsibility is now yours. I have wondered about you and have tried to analyze the reasons for your collective non-action on this measure.

Believe me, gentlemen, I have tried desperately to understand any reasons there may be. I have done so because I have worked with you, lived with you and played with you and I am able to say to all of you, as individuals, that you are the nicest, most wonderful and able men it has been my pleasure to know.

Believe me again, gentlemen, I have been around the halls of this Senate long enough not to appreciate reasons for party action or non-action on certain measures, even where it differs from our own personal opinions. That happens on both sides of this house. But this issue is not and should not be a political issue—our deepest moral responsibilities are at stake—and on such a prob-

lem, those who are in control of party machinery should not, in all fairness to us and to the people, insist that solid party action be taken.

Such insistence is something against which all of us as individuals should rebel, since it is these things that cause such doubtful reflection upon us in our chosen or imposed activity in politics.

In last Saturday's Evening Bulletin, the Saturday Sermon was delivered by Rev. Joseph Fort Newton. I think it is very appropriate and shall read it to you. He writes as follows:

"The House of Life has three stories. A few still live on the first floor, most of us live on the second, and a few have climbed to the third. But all of us run up and down the stairs.

"On the first floor we live by instinct, impulse and force. On the second we live by obligation, moral law and the beginnings of reason. On the third we live by insight. Either we think as we live or we live as we think.

"On the first floor, life is a struggle and the fittest survive. If a man is strong enough to take a business away from another man, he does it.

"It is the law of the jungle, where the weak go down and the swiftest win the race. Desire, not duty, is the rule. Life is ruthless, no quarter is asked or given. Much of our life, more than we are willing to admit even in what we call civilization, is lived on this level.

"But, on the second floor, man begins to live by reason and moral law. There is 'a stop in the mind,' something which arrests man and compels him to pass moral judgment on his thoughts and acts. He sees, dimly, that selfishness is short-thinking, and defeats itself.

".... At this level we live and let live, if only to protect ourselves.

"But there is a third floor in the house of life, to which the other two lead if we do not stop. We must climb up to it; there is no elevator. There the outlook is wider and the light whiter—we can see more clearly. It is the prophet-chamber, the place of interpretation and truth.

"On this floor a man will consider not merely his own gain or power or prestige, but the common good. Here it is not enough to live and let live, we learn to live and help live.

"On this level of gracious living, a man sees that human values are far more precious than money values. He will not use men to make money, he will use money to make men. He still has the profit-motive, but he puts it in its proper place; he has along with it something higher.

"The tragedy is that so many of us live part of our lives on one level and part on another level. Sir John Bowring wrote the stately and beloved hymn, 'In the Cross of Christ I Glory.' Yet the same man forced opium on the Chinese people at the point of British guns.

"What is stranger still, he saw no discrepancy between his sincere private piety and his public atrocity. He had a blind-spot—he was not consciously a hypocrite. He had an astigmatism, and he did not see what he was doing. He wrote his hymn on one floor of the house, and went downstairs to do his dirty work.

"How often we see a man of private nobility, culture,

and even piety do in politics what he would be ashamed to do on his own. It is this fact which makes the very word 'politics' stink to Heaven. What will men not do for the sake of 'party' or in behalf of some silly 'ism' to which they have sold their souls.

"It is in our group-life that we descend to the depths and become savages, and the larger the group the worse it is. Much, if not most of the dealings of nations with nation, race with race, is on the lowest level of life. We have not slumped into the depth; we have never climbed out of it as nations and races.

"The man on the first floor of life is a wild man, untamed—like a shadow he cries out with the wind. Just when we think we have him downed, covered with a layer of reason, he breaks out in race hatred and egoistic cruelty. We can never be sure when he will make some disruption and calamity.

"The question is, where do we live? Downstairs or upstairs? In the basement where instinct gropes in the dark, or on the third floor where, at night, we can see the great stars obeying the will of God?"

In yesterday's Inquirer was a quotation from a speech on "I Am an American Day" by Justice Learned Hand of the New York Circuit Court of Appeals. He said:

"The spirit of liberty is the spirit which seeks to understand the minds of other men and women, which weighs their interests alongside its own without bias. The spirit of liberty is the spirit of Him, who, nearly two thousand years ago, taught mankind that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

Mr. President and Gentlemen:

Would that I were sufficiently eloquent to touch your hearts—to reach the innermost recesses of your individual minds so that you would understand that what I am trying to say is—

Let the least be heard now

Give all an even chance

Let us begin to practice America.

It is almost—but not yet too late. Our Senate Committee on Labor can still meet and report out a bill and as humbly as I know how—I ask that you do so.

PERMISSION TO ADDRESS SENATE

Mr. WOODRING asked and obtained unanimous consent to address the Senate.

Mr. WOODRING. Mr. President and members of the Senate, I would like to add just a word of amplification and endorsement to the remarks of the gentleman from Allegheny, Senator Holland, about and against Senate Bill 834, the so-called educational bill. Senate Bill 834 has been on our calendar for some days. I do not know whether it is going to be acted upon or whether we are going to substitute House Bill 417 for it.

I think both bills, however, have certain failings and I think the time to plan for a proper and a fair and a reasonable educational bill is now, before it come up for final consideration and adoption.

It seems to me that there are at least three major failings in both House Bill 417 and Senate Bill 834, which ought to be called to the attention of the members of the Senate and to all the Legislature so that we can take proper methods and procedures to bring these bills,

or either of them, into shape, so that they will give to the people of the state of Pennsylvania the kind of legislation that we promised and the kind of legislation to which our people are entitled.

In the first place, Mr. President, it seems to me that both bills fail to provide the proper automatic increments for those men and women who were faithful to their profession, who were faithful to the cause, the very important cause, if you please, of statewide education in Pennsylvania, and remained at their desks in the school-rooms and at their desks during the lush earning period of the past war. Both bills fail to take into consideration increments for such people.

Secondly—and I am not going to enlarge upon this, I am merely going to throw it out as a very respectful suggestion for the consideration of the caucuses on both sides of this Senate—we ought to eliminate from both bills the provision for so-called promotional or merit increments. The word merit ought never to have been brought into this picture, because it certainly is a disservice and unmeritorious type of increment; it is an increment that would throw back into politics every teacher in the state of Pennsylvania; it is an increment that would remove from the teachers of Pennsylvania the security that they are entitled to have by reason of the nature of their work and profession; it is an increment that has no place in our present day thinking and no place in our present day educational system, so that I would say certainly we should eliminate all provisions for promotional increments and, having done so, we ought to substitute one or some additional service increments in lieu of the so-called promotional increment.

I think school teachers are not going to get what they ought to have, they are not going to get what they were led to believe they were going to receive from this Legislature, but if we take care of these three measures, and they are small ones but very important ones—and I again stress the importance of them—if we provide automatic increments for those who were faithful to their calling during the war, if we get rid of the promotional increment theory and add at least one or some additional service increments, then I think under the circumstances we will do what is fair and reasonable to a good loyal band of people who are more important than any other single group for the continued welfare and prosperity of our great Commonwealth. Thank you very much.

REPORTS FROM COMMITTEES

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LLOYD H. WOOD from the Committee on Judiciary General reported as committed, Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audit.

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WADE from the Committee on State Government, reported as committed, Senate Bill No. 866, entitled:

An Act relating to the regulation, control and stabilization of rents in housing accommodations during an emergency, creating a temporary state housing rent commission, prescribing its powers and duties and making an appropriation.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania, and the States of Ohio, West Virginia and Indiana in the construction, operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike, as authorized to be extended, to the western border of Indiana, authorizing the Governor for these purposes to enter into an agreement with the States in question; creating an Inter-State Turnpike Commission and defining its powers and duties, including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

MEMBER OF PENNSYLVANIA LABOR RELATIONS BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Pennsylvania Labor Relations Board:

Darrell W. Smiley, 12 Byrer Avenue, Uniontown, Fayette County, to serve until June 2, 1953, and until his successor shall have been appointed and qualified.

Malcolm B. Petrikin, Esq., 408 Market Street, Chester, Delaware County, from June 4, 1945, until June 2, 1951, and until his successor shall have been appointed and qualified.

Leo Abernathy, 1281 Bellrock Street, Pittsburgh, Allegheny County, from May 22, 1945, until June 2, 1949, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

REPORT FROM COMMITTEE

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Local Government, reported as amended, House Bill No. 909, entitled:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county in-

stitution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties," by providing that salaries of the deputies clerks and assistants of tax collectors in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

MOTION TO DISCHARGE COMMITTEE ON EDUCATION FROM FURTHER CONSIDERATION OF SENATE BILL No. 728

Mr. HOLLAND. Mr. President, I had intended to make a very long talk in presenting this resolution but I believe the chairman of the Committee on Judiciary General has made the best speech possible for the discharge of his committee from further considering the lobbyist's bill than I could, because while he was in the Chair today it was necessary for him to call in the Sergeant-at-Arms and clean out, for once in this session, the Senate rooms which are reserved for the Senators. In fact, I believe if they had been cleaned out in the early part of the session, the state would have saved a considerable amount of money in long distance telephone calls that were made by lobbyists instead of the Senators who are supposed to have the use of those phones.

When I first inquired about this bill I was told it was being held in a sub-committee. I asked where it was. They informed me it was the fifty-first and fifty-second Senators of the Senate. Inasmuch as I do not have authority to discharge the fifty-first and fifty-second Senators in the Senate and also knowing that inasmuch as these two Senators, the gentleman from the Pennsylvania Railroad, Mr. Reiter, and the gentleman from the Oil Company, Mr. Davis, would be a little biased in voting on this bill, being interested in it, I am glad I am only going to consider the fifty members of the Senate.

Therefore, Mr. President, I believe that the time has come that lobbyists should be brought out in the open, as they have been in the Federal Government and, contrary to rumors being spread here by the lobbyists, that the lobbying bill in Washington is not functioning properly, I refer the members of the Senate to a story appearing in the April issue of the American magazine. It tells in this story that the lobbyists are also finding out that a lot of times these so-called improvements which were supposed to originate from the people they now find were originated by lobbyists they did not even know existed in Washington. The same thing may be true here and I believe it is fair to the people of Pennsylvania to find out who these lobbyists are, how much money they spend, on whom they spend this money how much money they spend, on whom they spend this money today, and then it will take away that terrible taint which seems to be placed upon us by people back home, that all of us come down here with a few thousand dollars and go back with millions, and I think it would be good government because people do not like invisible government.

I have pointed out time and time again that too much legislation has been passed in the different hotel rooms in the city of Harrisburg, this session—I do not know of any session where we had more lobbying done and more

persistent lobbying than we have had in this session and so, Mr. President, although I want to say I believe that you, the chairman, has made the best argument possible for this bill today, and I want to thank you, when you very deliberately banged that gavel down and said, "Will the Sergeant-at-Arms clean out the Senate rooms and you engineers of legislation please leave these rooms reserved for the Senators," I believe that was about the best speech I could make and therefore I ask the Presiding Officer and all the members of the Senate to follow the leadership of the Chair today and vote for the discharge of the Committee on Education from further consideration of Senate Bill 728.

The PRESIDING OFFICER. The Chair wishes to call to the attention of the gentleman from Allegheny the fact that the rear room was cleared out without any further legislation.

Mr. HOLLAND. Mr. Presiding Officer, I am glad they went out but may I tell the Chair that two of them are back there right now.

The PRESIDING OFFICER. Acting on the advice of the gentleman from Allegheny, Senator Holland, the Sergeant-at-Arms will see that the legislative engineers get out of that cloak-room. That, too, is an order from the Senate.

RESOLUTIONS

TO DISCHARGE COMMITTEE ON EDUCATION FROM FURTHER CONSIDERATION OF SENATE BILL No. 728

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, June 10, 1947.

Resolved, That the Committee on Education be discharged from further consideration of Senate Bill No. 728, entitled,

"An Act providing for the regulation of lobbying; requiring registration of all lobbyists, keeping of accounts of contributions and expenditures and receipts thereof; reports and statements under oath, persons affected; and providing penalties."

Said bill having been in the hands of said Committee for a period of ten days and more, having been referred on May 12, 1947.

RULE 39 SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. HOMSHER. Mr. President, the gentleman from Allegheny has asked that the Committee on Education be discharged from further consideration of Senate Bill No. 728.

The gentleman from Allegheny, Senator Holland, is a member of that committee, he appeared at committee meetings when that bill was considered on two separate occasions, and he full well knows the action taken by the Committee on Education both times and I therefore ask

the members of the Senate to vote down this resolution to discharge the committee.

Mr. HOLLAND. Mr. President, I am very sorry to take issue with the Chairman of the Senate Committee on Education, of which I am a member, but every time this bill was discussed by the chairman he always treated it as a bill, not necessarily as a joke and this is not a joke, it is a very serious matter and I think the people of Pennsylvania should be permitted to know who are the people who come down here and spend money for legislation and also that everybody shall be compelled to state if he is opposing certain legislation or is in favor of it. There is nothing to hide. I think there are a lot of groups down here—for instance, the teachers are down here and the nurses and other groups are here and they are very willing to state why they are here—they are here to protect the schools of Pennsylvania, the nurses are here to protect health, but other people are here to protect mostly their own personal pocketbooks. I might add also that this puts the same restrictions on labor as it does on the other special interests which are lobbying here and I believe it is fair and the people of Pennsylvania ought to know who who are people who influence legislation in Harrisburg.

And the question recurring,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and Mr. LANE, and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

NAYS—33

Becker,	Frazier,	Mallery,	Wagner,
Berger,	Geltz,	Scarlett,	Watson,
Blass,	Hare,	Snowden,	Wilson,
Carr,	Heyburn,	Stevenson,	Wolfe,
Chapman,	Homshe,	Tallman,	Wood, L. H.,
Crider,	Kephart,	Taylor,	Wood, T. N.,
Crowe,	Letzler,	Tyler,	Walker,
Doehla,	Lord,	Wade,	Presiding Officer
Farrell,	Mahany,		

So the question was determined in the negative.

HOUSE RESOLUTION No. 15 TAKEN FROM TABLE

Mr. RUTH. Mr. President, I call from the table House Resolution No. 15, as follows:

DEPARTMENT, FORESTS AND WATERS TO CONTINUE TO MAINTAIN "HOPEWELL" AS A PARK

In the House of Representatives, February 18, 1947.

"Hopewell", an area in Berks and Chester Counties of 5400 acres (of which 5,000 acres are woodland), formerly under the jurisdiction of the Federal Government, is now subject to the control and supervision of the Department of Forests and Waters since it was granted to the Commonwealth under the provisions of the act approved the 22nd day of May, 1945, (P. L. 834).

This beautiful park and recreational area has been partially developed. Further development is quite feasible at any time by the construction of headquarters buildings, cabins, public bathing beaches, playgrounds, and certain electrical, sewerage, and safety equipment, the breaking of trails, and the maintenance thereof.

There are now a dozen or more State parks; there is no such park in the southeastern part of the State; within a fifty mile radius of "Hopewell" there is a population of five million. These people, hundreds of thousands of whom have visited the area in the last five years, together with sportsmen who hope to see a game preserve in part of the area, and service clubs, urge and desire that "Hopewell" be made a State Park, since most of them have no opportunity to visit our other State Parks; therefore be it

Resolved, (if the Senate concur), That the Department of Forests and Waters continue to maintain "Hopewell" as a park and recreational area, and that the Department of Forests and Waters improve and develop "Hopewell" if, as, and when moneys available for such purpose permit.

and move that the Senate adopt the resolution.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 478

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 10, 1947.

Resolved, (If the Senate concur), That House Bill No. 478, Printer's No. 571, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

be recalled from the Governor for the purpose of further amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

MEMORIALIZING JUPITER PLUVIUS AND THE UNITED STATES WEATHERMAN FOR A LITTLE RAY OF SUNSHINE DURING THE CLOSING OF SESSION

Messrs. FRAZIER and DENT offered the following resolution which was twice read, considered and agreed to.

In the Senate, June 10, 1947.

Whereas, During the damp and dreary week-end just past, it occurred to the well-known correspondent of the Philadelphia Inquirer, the Honorable John M. Cummings, that perhaps the condition might be remedied if the Legislature did something about the weather; and

Whereas, The sponsors of this resolution are astounded that the said correspondent would have an occurrence so late in the session; and

Whereas, It is felt that the Legislature should undertake to assist such a distinguished citizen; and

Whereas, the sponsors of this resolution are highly flattered at being called miracle workers by the said correspondent and we approach this matter with due humility, and

Whereas, It is apparent to all who can run and read that the said correspondent is very much like the late lamented Mark Twain. He also talks a lot and does very little; and

Whereas, The matter has been brought to our attention at such a late date that, miracle men as we are, we can't find enough legislative days for the passage of the suggested bill; and

Whereas, The weather-men are all members of United States Civil Service and it can, therefore, be readily understood why they have hatched up such infamous weather during the sessions of the Republican controlled Pennsylvania Legislature; and

Whereas, We are in accord with the belief that something should be done; therefore

Be It Hereby Resolved, That the Senate of Pennsylvania be requested to memorialize Jupiter Pluvius and his hired hands, the United States weather-men, to at least give us a little ray of sunshine during the closing days of this hectic session, when men's nerves are getting frayed; and be it further

Resolved, That we express to the said John M. Cummings our deep appreciation of the fact that he has called upon a Democrat and a Republican to sponsor this resolution, so that all who read the same will realize that it is entirely by-partisan and non-partisan.

The PRESIDING OFFICER. The gentleman from the Inquirer will take a bow.

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 37, as follows:

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Wherever used or referred to in this act unless a different meaning clearly appears from the context

(a) "Private school" or "school" shall mean a school maintained or classes conducted for the purpose of offering educational instruction for a consideration profit or tuition the purpose of which is to generally educate an individual or prepare an individual for higher education and shall include all schools of education except private trade schools private business schools and private correspondence schools

(b) "Solicitor" shall mean any person whether employed by a private school or operating in his own behalf or whether acting in behalf of any school located within or outside of this Commonwealth who shall personally solicit any individual within the Commonwealth to enroll in a school

(c) "Department" shall mean the Department of Public Instruction

Section 2 The provisions of this act shall not apply to colleges or universities schools maintained or classes conducted by employers for their own employes where no fee or tuition is charged schools or classes owned and operated by or under the authority of bona fide religious or eleemosynary institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or schools accredited by accrediting associations approved by the State Council of Education

Section 3 The provisions of this act shall be administered by the Department of Public Instruction which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The department may appoint an advisory committee of three or more members selected from persons active in the private school field whose duties shall be to advise and to make recommendations to the department regarding rules codes and other regulations for the licensing of schools and to make and to promulgate standards of qualifications for schools and agents so licensed

Section 4 No private school shall continue operation or be established within the Commonwealth unless such school shall within five (5) months of the effective date of this act apply for and obtain from the department a license in the manner and form prescribed by the department

Section 5 Before any license is issued a verified application shall be made in writing to the department on a form prepared and furnished by the department Such application shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the maximum enrollment to be accommodated on equipment available in each specified field (6) the qualifications of instructors and supervisors in each specified field (7) financial resources available to equip and to maintain the school or classes (8) such additional information as the department may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 6 If the department finds that the application and the school or classes for which a license is sought complies with the provisions of this act and the rules and regulations of the department promulgated under the provisions of this act the department shall issue an original license to the applicant

Section 7 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license The holder of a license shall present a supplementary application as may be directed by the department for approval of additional fields or courses in which it is desired to offer instructions during the effective period of the license

Section 8 Each original license issued shall be effective for a period of one (1) year from the date of issuance and shall be renewed annually thereafter by an application for renewal on a form prepared and furnished by the department

Section 9 Each original application shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars (\$25) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction fees for solicitors shall be five dollars (5) per year all license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 10 The department shall maintain a list of

schools licensed under the provisions of this act which shall be available for the information of the public

Section 11 No private school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the department and its representatives to inspect the school or classes and shall make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the department to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the department

(3) The advertising and representatives made by anyone representing the school or classes as a solicitor or contractual agent to prospective students shall be free from misrepresentation or fraud

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 12 Any license issued under the provisions of this act may be revoked or suspended by the department for cause Before any license is suspended or revoked the department shall serve a notice thereof on the licensee together with a statement of the reason for its action and the licensee upon request therefor shall be entitled to a hearing before the department and shall be afforded a full opportunity to appear before the department or an authorized agent of the department to state his case and to produce such evidence as he shall deem necessary

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty (\$50) nor more than five hundred dollars (\$500) and to undergo imprisonment for a period of not less than six (6) months nor more than one (1) year If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employees with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahausser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Watson,
Crider,	Japan,	Ruth,	Wilson,
Crowe,	Kephart,	Scarlett,	Woife,
Dent,	Klein,	Snowden,	Wood, L. H.,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	Walker,
Frazier,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 92, on final passage, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases and repealing inconsistent laws.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 365, as follows:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 99) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents (\$1.50)] two dollars (\$2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

Section 2 Section two hundred eighty-five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-seven (P. L. 494) and as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law re-

pealed and replaced by this act and now held in the state treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the state treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorney general assistant deputy attorneys general as may be assigned by the attorney general to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the capitol buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the chuiser "Anna" at Torresdale on the Delaware river

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board [and]

(l) The purchase and acquisition of additional land and water for State Fish Hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth

(m) For the refund to county treasurers of fishing license fees heretofore or hereafter erroneously paid into the fish fund and

(n) The sum of twenty-five cents (25c) from each resident fishing license fee being one-half of the increase

in fees provided by this amendment shall be used exclusively for (i) the acquisition in the name of the Commonwealth by purchase of land and fishing waters or warm water ponds or lands which because of their natural conditions can be converted into ponds dams or reservoirs anywhere in the Commonwealth or in any part thereof with such rights of ingress or egress to or from such waters as may be necessary to make the same available for use by the citizens of the Commonwealth for fishing and the maintenance thereof (ii) the rebuilding of torn out dams and (iii) the study of problems related to better fishing all moneys received under the provisions of this clause and all expenditures made from such moneys shall be shown in detail by the board in every annual report or annual statement rendered by it

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the Board and may be expended for the purposes hereinbefore enumerated all printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Frazier,	Lane,	Tarr,
Becker,	Geltz,	Leader,	Taylor,
Blass,	Hare,	Lord,	Tyler,
Carr,	Heyburn	Margie,	Wagner,
Chapman,	Holland	Rahausen,	Watson,
Crowe,	Homsher	Rosenfeld,	Wilson,
DISilvestro,	Jaspan	Ruth,	Wood, L. H.,
Doehla,	Kephart,	Scarlett,	Walker,
Farrell,	Klein,	Tallman,	Presiding Officer

NAYS—10

Berger,	Haluska	Stevenson,	Wood, T. N.,
Crider,	Mallery.	Wade,	Woodring,
Dent,	Snowden,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 742, as follows:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding a new section to be known as section five hundred twenty-four point one to read as follows

Section 524.1 Definitions The following words when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates or requires a different meaning

"Collector of School Taxes" shall mean the receiver of school taxes in school districts where this designation is used and the school treasurer in other districts

"Employer" shall mean an individual copartnership association corporation governmental body unit or agency or any other entity who or that regularly employs one or more persons either full time or for most of such person's working time on a salary wage commission or other compensation basis one who so employs any person for more than six months in any calendar year shall be deemed an employer within this act

"Non-resident" as applied to employers shall mean an employer whose business is located outside a school district of the first class which imposes a tax under this act but within the Commonwealth of Pennsylvania

"Person" shall mean every natural person and whenever used in any clause prescribing and imposing a penalty the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Resident" shall mean any person domiciled in a school district of the first class which imposes a tax under this act As applied to employers it shall mean an employer whose principal office is in a school district of the first class which imposes a tax under this act

"Taxpayer" shall mean a person subject to a per capita tax levied under the provisions of this act

(a) Imposition of Tax Any school district of the first class in the Commonwealth of Pennsylvania shall levy and collect annually in addition to other taxes provided by law a per capita tax on each resident or inhabitant of such school district over twenty-one years of age which tax shall not be less than one dollar (\$1.00) nor more than five dollars (\$5.00) for each person subject to the tax

(b) Duties of Assessors In order that the board of pub-

lic education in each school district of the first class in this Commonwealth shall assess levy and collect a per capita tax on each resident or inhabitant over twenty-one years of age residing in the district it shall be the duty of the proper board of assessors having in charge the assessment of real estate for the purpose of taxation by the school district to prepare a list of residents or inhabitants in such school district over twenty-one years of age and return the same with the other taxable property in the district as provided by law

(c) Notice to be Given Public notice by advertisement in two or more newspapers of general circulation in the school district levying the tax shall be given once a week for three weeks prior to May first of the year for which the tax is levied setting forth the amount of per capita tax payable by each resident or inhabitant of the school district over twenty-one years of age the requirement that a return be filed by the taxpayer or his employer and the tax paid on or before the first day of May following the penalties imposed for failure to file a return and/or pay the tax and such other information and instructions as may be deemed necessary or advisable

(d) Returns and Payment of Tax Each person subject to the tax imposed under this act shall on or before May first of each year make and file with the collector of school taxes of the school district on a form furnished by or obtainable from the collector of school taxes or from such other sources as may be designated a return setting forth the name and address of the taxpayer the amount of tax owing the name of his or her spouse if any and the name and address of his or her employer and shall at the same time pay to the collector of school taxes the amount of tax owing at the time the return is filed if the tax is not paid when the return is filed it may be paid thereafter at face during the months of May June and July if it is not paid on or before the last day of July in the year in which it becomes due it shall be delinquent and shall thereafter bear interest at the rate of one-half of one per centum per month until paid Provided however That where the tax shall have been deducted at source by an employer and paid to the collector of school taxes by the person making such deduction the amount so paid shall be deducted from the tax as levied and the balance if any remaining unpaid shall be paid at the time of filing said return Provided further That where a return is made by an employer and the full amount of the tax payable by any resident employee is deducted by the employer from the salary or compensation of the employee and paid to the collector of school taxes by the employer this shall be accepted as the return required to be made by the employer

(e) Collection at Source Each resident employer within a school district of the first class imposing a tax under the provisions of this act who employs one or more persons on a salary wage or commission basis shall on or before May first of each year make a return under oath to the collector of school taxes on a form to be obtained as above provided which shall set forth the name and residence of each employee of said employer who resides within the school district levying the tax the name of such employee's spouse if any the amount of tax owing by such employee and spouse if any The board of public education or the collector of school taxes may require a similar return to be made by any non-resident employer who is believed to have in his or its employ any employee residing in the school district levying the tax If an employer making a return under this act has no employee residing in the school district levying the tax he shall so state in his return An employer who deducts and transmits the tax owing by his employees shall be entitled to two per centum (2%) of the amount so deducted for his services

Any resident or non-resident employer making such a return shall deduct from the salary wages or commissions payable to any employee residing in the school district levying a tax under the provisions of this act the amount of per capita tax owing by such employee to the school district and shall transmit the same with said

return to the collector of school taxes Provided however That the failure or omission by any employer to make such return and/or pay such tax shall not relieve the employe from the payment of such tax or from the necessity of making a proper return as required by this act

(f) Husband Liable for Wife's Tax Every husband whose wife is subject to a per capita tax levied under the provisions of this act shall be liable for the payment of his wife's tax and every return and every payment of tax made by or on behalf of a married man shall include his wife's per capita tax the liability of a husband for his wife's tax shall be in addition to the liability of a married woman for her own tax

(g) Tax A Lien on Real Estate Any per capita tax owing by the owner or owners of real estate and remaining unpaid after May first of the year for which the tax is levied shall be a lien on any such real estate located in the ward in which the taxpayer resides and a claim therefor may be filed and prosecuted to judgment in the same manner and to the same extent as claims for taxes on real estate are filed and prosecuted under any law now in force or which may hereafter be passed

(h) Collection of Tax All taxes imposed under the provisions of this act shall in addition to all other remedies herein provided be recoverable in an action in assumpsit as other debts of like amount are recoverable and the defendant shall not be entitled to the benefit of any exemption law costs incurred in collecting the tax shall be paid by the school district levying the same

(i) Investigative Powers of Collector The collector of school taxes or any agent or employe authorized by him in writing is hereby authorized to examine the books papers and records of any resident or non-resident employer or supposed employer of resident of the school district levying a tax under the provisions of this act in order to verify the correctness of any return made by such employer or if no return was made in order to secure the data which a correct return would have disclosed Every such employer or supposed employer is hereby directed and required to give to said collector of school taxes or other duly authorized agent or employe or either of them the means facilities and opportunities for such examinations and investigations as are authorized by this act The collector of school taxes in performing his duties under this act is hereby authorized to examine any person under oath and to this end he may compel the production of books papers and records and the attendance of all persons before him whether as parties or witnesses whom he believes to have knowledge of matters under investigation

(j) Violation Penalties Any person who shall fail neglect or refuse to make any return required by this act or who shall fail neglect or refuse to pay a tax levied under this act or any person who shall refuse to permit the collector of school taxes or any agent or employe appointed by him in writing to examine his books records and papers or who shall knowingly make any incomplete false or fraudulent return or who shall attempt to do any thing whatever to avoid the full disclosure of pertinent information required by the collector of school taxes or any employer who fails to turn over promptly to the collector of school taxes the moneys deducted from the compensation of any resident employe on account of taxes payable by such employe shall be subject to a fine or penalty of twenty-five dollars (\$25.00) and costs for each such offense or to undergo imprisonment for not more than ten days for the nonpayment of such fine or penalty and costs within ten days from the imposition thereof It shall be the duty of the board of public education to enforce the penalties imposed by this act by summary proceedings before any justice of the peace alderman or magistrate of the county in which the offense was committed subject to appeal by the defendant as provided by law in summary conviction cases All such fine and penalties shall be payable to the collector of school taxes of the school district imposing the tax for the use of the school district The failure of any employer or tax-

payer to receive or procure a return form shall not excuse him from making a return

(k) Duty to collect the collector of school taxes in any school district of the first class is hereby charged with the duty of collecting taxes levied under the provisions of this act so far as the same may be collected by demand and billing such collector may reexamine or correct returns and payments alleged or found to be incorrect or as to which the over-payment or under-payment is claimed or found to have occurred taxes levied under this act which become delinquent shall be filed of record as liens against real estate in the manner now provided by Law in the case of delinquent school taxes and by the person or persons now authorized or directed by law to file such delinquent school taxes if the tax cannot be collected by demand and billing or by filing a lien for the same against real estate owned by a taxpayer it shall be the duty of the school district levying a tax through its solicitor to collect the same by suit in assumpsit or by prosecution under subsection (j) of this section and in this event the collector of school taxes shall furnish to the school district or its solicitor any information concerning such delinquent taxpayers which may be in his possession

(l) Purpose of the Tax The revenue to be derived from the imposition of a per capita tax under the provisions of this act shall be paid into the general fund of the school district and shall be used to pay current expenses or other obligations of the school district

(m) Adoption of Rule and Regulations The board of public education of any school district imposing a per capita tax under the provisions of this act may make and adopt such reasonable rules and regulations not inconsistent with the provisions of this act as may be considered necessary or advisable for the proper administration of this act

(n) Repealing Clause Any act or parts of acts inconsistent with the provisions of this act are hereby repealed only insofar as they may relate to or would affect matters covered by this act

Section 2 The provisions of this act shall apply only to school districts of the first class having a population of less than 1,500,000 persons

Section 3 The provisions of this act are severable if section 2 hereof shall be held to be unconstitutional the decision of the court shall not affect or impair the other provisions of this act and school districts of the first class without regard to the population limitation provided in section 2 hereof shall have the power and authority to levy and collect the taxes hereby imposed

Section 4 The provisions of this act shall become effective upon final enactment and taxes may be levied hereunder for the fiscal year beginning January first one thousand nine hundred and forty-eight

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—40

Barr,
Becker,
Berger,
Blass,
Carr,
Crider,
Crowe,
DiSilvestro,
Doehla,
Farrell,

Frazier,
Geltz,
Hare,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Lord,
Mahany,

Mallery,
Mangle,
Rahausser,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Tarr,
Taylor,

Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—9

Chapman,
Dent,
Haluska

Jaspan,
Klein,

Lane,
Leader,

Rosenfeld,
Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 758, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employee" and "original member" to include Members of the General Assembly at their option and permitting such Members to retire under certain circumstances and defining "year of service"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" clause six as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and clause nine as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended and said section is hereby amended by adding after clause thirteen thereof a new clause to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * *

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all present future or former members of the General Assembly who receive or have received their salaries for regular and special sessions of the legislature as fixed by law and also all officers and employees of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employees of the Delaware River Joint Commission and of the Delaware River

Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employees of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employees of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employees without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employee" shall not include those persons defined as employees in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employees of the Department of Public Instruction as are not members of or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees' retirement association

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final

* * * *

7 "Head of the Department" as applied to State employees shall mean the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employee is a member and shall include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth in the case of all members of the General Assembly "Head of the Department" shall mean the chief clerk of the Senate and the chief clerk of the House of Representatives

* * * *

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five

Any such State employee who shall become an original

member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Original member of the retirement association shall also mean any person who is a Member of the General Assembly on the effective date of this amendment and who shall elect on or before December thirty-first one thousand nine hundred and forty-seven to become a member of the retirement association as of January first one thousand nine hundred and forty-seven

Original members of the retirement association shall also mean any person who was formerly a member of the General Assembly and who on the effective date of this amendment is a contributor

* * * * *

13.1 "Year of Service" shall mean a period of twelve months during which a contributor is a state employee and for which he or she receives an annual salary or other compensation the phrase shall not include any time spent on furlough or leave of absence without pay except while the contributor is in active military service and salary deductions are paid into the retirement fund either during such active military service or thereafter as authorized by existing law when the nature of a contributor's employment or the provisions of law governing the payment of his or her compensation results in no compensation being paid to the employee and no contributions being paid into the retirement fund on his or her behalf during any part of any twelve month period or successive twelve month periods no period of time either heretofore expired or that shall hereafter occur during which no compensation is paid and no deductions are made shall for the purposes of this act be considered a furlough or leave of absence without pay

Section 2 Sections three and ten and subsection three of section eleven of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 3 A State employees' retirement association is hereby organized the membership of which shall consist of all State employees as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employee who becomes a State employee

subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employee have the option of membership but after the first six months of such employment as a State employee membership as a new member shall be compulsory Provided however that neither the Governor nor the Lieutenant-Governor nor the Members of the General Assembly nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commission nor the secretary to the Governor nor the budget secretary nor any person over the age of fifty years shall be compelled to become members of said State employees' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employee within said six months period and that payroll deductions are not delayed beyond said period

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employee as defined in section one paragraphs six and thirteen of this act as soon as practicable after each original member shall have joined the retirement association the Retirement Board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the Retirement Board either upon application by the member or upon its own initiative the time during which a State employee is absent without pay shall not be counted in computing the service or the average salary of a contributor

In the case of any contributor who at any time prior to becoming such contributor has been a member of the General Assembly the period for such service as such member of the General Assembly shall be included in computing the period of service of such contributor as if he or she had been an original member

Withdrawal

Section 11

* * * * *

(3) Should a member be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service [but] or should a member of the General Assembly discontinue his service as such member voluntarily or involuntarily after having served during five regular sessions of the General Assembly but in any case before reaching superannuation retirement age he or she shall be paid as he or she may elect as follows

(A) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings account or

(b) An annuity of equivalent actuarial value to his or her accumulated deductions and in addition a State annuity having a value equal to the present value of a State annuity beginning at superannuation retirement age calculated in accordance with the provisions and with the privileges of the same options provided for in sections thirteen and fourteen of this act with respect to State annuities for superannuation retirement

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Holland,	Rahauser,	Wagner,
Carr,	Homsher,	Rosenfeld,	Watson,
Chapman,	Jaspan,	Ruth,	Willson,
Crider,	Kephart,	Scarlett,	Wolfe,
Crowe,	Klein,	Snowden,	Wood, L. H.,
Dent,	Lane,	Stevenson,	Wood, T. N.,
DiSilvestro,	Leader,	Stiefel,	Woodring,
Doehla,	Letzler,	Tallman,	Walker,
Farrell,	Lord,	Tarr,	Presiding Officer
Frazier,			

NAYS—1

Heyburn,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 827, as follows:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases of this act shall have the following meanings

(1) "Private Correspondence School" "Correspondence School" or "School" shall mean a privately owned and operated school conducted for the purpose of providing by correspondence systematic instruction in any field or fields of study

(2) "Council" or "State Council" shall mean the State Council of Education

(3) "Adequate correction service" shall mean the proper receipt and prompt correction of all required tests and materials with appropriate written comments and suggestions for correction of errors and apparent weaknesses and the prompt mailing of such corrected materials to students concerned

(4) "Agent" shall mean any person including registrars field representatives field officers supervisors and district representatives who solicits prospective students sells or solicits applicants for correspondence courses for any private correspondence school

Section 2 The mandatory provisions of this act shall not include correspondence schools having no definite situs in Pennsylvania or schools maintained or classes conducted by employers for their own employees without profit or schools owned and operated by bona fide religious or eleemosynary institutions without profit or by the Commonwealth of Pennsylvania or any political subdivision thereof but such schools may choose to apply for a license number and upon approval and issuance thereof shall be subject to the provisions of this act

Section 3 The provisions of this act shall be administered by the State Council of Education which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The Superintendent of Public Instruction shall appoint an advisory committee of five or more members selected from persons active in the fields of private correspondence instruction extension education vocational education and secondary education whose duties shall be to advise and to make recommendations to the State Council regarding rules codes and other

regulations for the licensing of such schools and for the registration of their responsible field representatives or agents and regarding the promulgation of standards of qualifications for schools so licensed and for representatives or agents so registered

Section 4 Effective one hundred eighty (180) days after the effective date of this act no private correspondence school shall continue in operation or shall be established within the Commonwealth unless there is first secured from the State Council of Education a license issued in such form as the State Council shall direct and no field representative or agent of any school located outside or within the Commonwealth shall solicit applications for students for such school unless such field representative or agent is licensed by the Council as hereinafter provided

Section 5 Before any license is issued to any correspondence school a verified application shall be made in writing to the State Council on a form prepared and furnished by the State Council Such application shall require a statement showing (1) the title or name of the school together with ownership and controlling officers thereof (2) the specific fields of instruction which will be offered and the specific purposes of such instruction (3) a specific listing of the equipment and staff available for properly administering the correspondence courses of study which will be offered (4) that it maintains an adequate correction service (5) the qualification of instructors and supervisors being employed (6) financial resources available to maintain the service being offered (7) an agreement to abide by reasonable service and business ethics prescribed by the State Council (8) an expression of willingness at the discretion of the State Council at any time it may designate to provide a surety company bond in a reasonable amount to the Commonwealth of Pennsylvania conditioned for the protection of the contractual right of students (9) such additional information as the State Council of Education may deem reasonable to enable it to determine the adequacy of the program of instruction being offered and the business integrity being maintained

Section 6 Any license issued shall be restricted to the fields or courses specifically indicated in the application for a license The holder of a license shall present a supplementary application as may be directed by the State Council for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license

Section 7 Each original application for a license by a correspondence school shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars (\$25) No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason Each licensing year is to continue from the first day of July to the following thirtieth day of June

Section 8 The State Council of Education shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private correspondence school shall be granted a license or shall be permitted to continue to continue to operate under a granted license unless

(1) It shall permit the State Council of Education and its agents to inspect the school and its correction service and shall make available to the State Council at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the State Council to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students and officers and agents designated by the State Council

(3) The advertising and representations made by any-

one representing the school as agent to prospective students shall be free from misrepresentation or fraud

Section 10 No agent of a correspondence school with home office within or outside the Commonwealth shall be registered and permitted to operate within the Commonwealth until an application for registration accompanied by a fee of five dollars (\$5.00) is filed with the State Council of Education and unless the agent and the owner or president and secretary of the correspondence school shall file with the State Council of Education a statement that to the best of their knowledge the agent has attained the age of eighteen (18) years is of good moral character bears a good reputation for honesty truthfulness and fairdealing and is otherwise competent and qualified to act as such in such manner as to safeguard and protect the interest of the public and that he has not been convicted of any felony or of a misdemeanor involving moral turpitude and in addition is

(1) Certified by a correspondence school licensed in this Commonwealth as its duly qualified agent or

(2) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state licensed by such state or

(3) Certified as its duly qualified agent within the Commonwealth by a correspondence school of another state which does not license correspondence schools and which school is approved by the Council after such investigation and such proof as in their judgment is essential to establish the character of the school whose agents apply for registration in the Commonwealth of Pennsylvania. The approval of the Council shall be registered in a "List of approved unlicensed foreign correspondence schools" to be available for public inspection at the offices of the State Council of Education

Each licensing year is to continue from the first day of July to the following thirtieth day of June

Section 11 If an application for a license is not approved the applicant may request and be entitled to a hearing before the Council if such request was made within thirty days after the action was disapproved. A license issued under the provisions of this act may be revoked or suspended by the State Council for cause provided that the licensee is permitted to be heard by the Council either personally by counsel or both and provided also that a written copy of the causes be furnished him by registered mail ten days in advance of the date set for hearing. Said notice shall fix the time and place for said hearing which shall not be more than thirty days from the date of the mailing of said notice

Any school which or agent who shall be aggrieved by any action of the Council relating to licensing or registration under this act or by any rule or regulation promulgated by the Council shall have the right to file a complaint with the Council and to have a hearing thereon before the Council. Such hearing shall be conducted and the decision of the council on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (P. L. 1388) relating to adjudication procedure. Any school or agent aggrieved by any adjudication of the Council shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth. Such appeal shall not act as a supersedeas but the licensee may continue to operate the school up to the date of the final decision of the court without being held to have violated the provisions of this act

Section 12 Any pupil of a correspondence school who is defrauded by a misrepresentation made by an officer or agent of any correspondence school or by any advertisement or circular issued by it or by any person association partnership or corporation who sells textbooks to the school or to the pupils thereof may recover in contract from such school or person association part-

nership or corporation three times the amount paid by him to such school or person association partnership or corporation

Section 13 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or to undergo imprisonment for not more than one year or both. If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employees with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 14 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DISilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 983, on final passage entitled:

An Act to further amend clause (a) of section four hundred fifteen and clause (A) of section six hundred twenty-one point one of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1106, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" changing the definition of private trade school and providing for the licensure of agents of such trade schools.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one three four seven eight and nine of the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" are hereby amended to read as follows

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

(1) "Private Trade School" or "school" shall mean a school maintained or classes conducted for the purpose of offering instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in the skilled trades or industries or to give occupational training [other than] "Private Trade School" or "school" shall not include any school maintained or class conducted (I) for training for the vocation of home making to women and girls or (II) to give training in public and other service occupations [or to give vocational technical training designed to prepare an individual for or to upgrade him in technical occupations and technical phases of other occupations for which graduation from a degree-granting institution of college grade is not required] nor shall the terms include correspondence schools business schools private academic schools barber schools beauty culture schools flight schools or degree-granting institutions

(2) "Board" shall mean the State Board for Vocational Education

(3) "Annual" shall refer to the fiscal school year from the first day of July to the following thirtieth day of June inclusive

(4) "Agents" shall mean a person employed by any school as above defined located within or outside this Commonwealth who shall act as an agent salesman broker or independent contractor to procure students enrollees or subscribers by solicitation in any form made in a place or places other than the office or place of business of such school

Section 3 The provisions of this act shall be administered by the State Board for Vocational Education which in connection therewith shall have the power to make and to enforce rules and regulations and to make and promulgate standards of instruction not inconsistent with the provisions of this act The board shall appoint an advisory committee of five or more members selected from persons active in the private trade school field a representative of general industry and a representative of labor whose duties shall be to advise to make recommendations to the board regarding rules codes and other regulations for the licensing of schools and agents and to make and to promulgate standards of qualifications for schools and agents so licensed

Section 4 Effective one hundred eighty (180) days after final enactment of this act no private trade school or classes shall continue in operation or shall be established or no agent of such school or classes shall solicit students within the Commonwealth unless there is first secured from the board a license issued in such form as the board shall direct

Section 7 Each original application for a school shall be accompanied by a license fee of fifty dollars (\$50.00) and each application for the renewal of a license fee of twenty-five dollars (\$25.00) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction Each application for an agent shall be accompanied by a license fee of five dollars (\$5.00) and each application for renewal of license for the agent shall be accompanied by a license fee of five dollars (\$5.00) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 8 The board shall maintain [a list] lists of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 9 No private trade school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the board and its [agents] representatives to inspect the school or classes and shall make available to the board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the board to applicants for license

(2) It shall prominently display the current approved school license where it may be inspected by students visitors and designated officials of the board

(3) The advertising and representations made by anyone representing the school or classes as a salesman or contractual agent to prospective students shall be free from misrepresentation or fraud [and shall conform with the rules and regulations of the board governing such advertising or representation]

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahausen,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wife,
Crowe,	Kephart,	Snowden,	Wood, I. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1214, on final passage, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 12, as follows:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in county of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 376) is hereby further amended to read as follows

Section 1 Be it enacted &c That in counties of the sixth class the annual salary of the county treasurer shall be four thousand dollars (\$4000) the annual salary of the clerk of the courts of quarter sessions shall be two thousand five hundred dollars (\$2500) the annual salary of the controller shall be two thousand five hundred dollars (\$2500) the annual salary of the clerk of oyer and terminer shall be one thousand dollars (\$1,000) [dollars] the annual salary of clerks of orphans' court shall be two thousand five hundred dollars (\$2500) the annual salary of the prothonotary shall be [three thousand dollars (\$3,000)] three thousand five hundred dollars (\$3500) the annual salary of the recorder of deeds shall be three thousand dollars (\$3000) and the annual salary of the register of wills shall be three thousand dollars (\$3000)

Where any of said officers holds two of said offices he shall receive the highest salary fixed for any of the offices which he holds and the additional salary of five hundred dollars (\$500) and where any such officers shall hold three or more such offices he shall receive an additional salary of one thousand dollars (\$1000)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,
Frazier,

Geltz
Haluska
Hare,
Heyburn
Holland
Homsher
Jaspan
Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 41, as follows:

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eight classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected

by the recorder of deeds and eliminating the triennial assessment" is hereby amended to read as follows

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid [six] seven dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his duties On or before the tenth day of each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who shall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahausen,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 56, on third reading, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages verdicts and amicable adverse judgments imposing duties on certain county officials and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 93, on third reading, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and

establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 94, as follows:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Courts of Allegheny County and repealing certain acts inconsistent herewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That from and after the effective date of this act the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County shall receive the compensation hereinafter provided

Section 2 The annual salary of the Chief Justice of the Supreme Court shall be twenty-three thousand five hundred dollars (\$23,500) and the annual salary of each of the associate judges of said Court shall be twenty-three thousand dollars (\$23,000)

Section 3 The annual salary of the President Judge of the Superior Court shall be twenty-one thousand five hundred dollars (\$21,500) and the annual salary of each of the associate judges of said Court shall be twenty-one thousand dollars (\$21,000)

Section 4 The annual salary of each of the judges of the courts of common pleas of the first and fifth judicial districts shall be sixteen thousand five hundred dollars (\$16,500)

The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts exclusive of the judges of the courts of common pleas of the first fifth and twelfth judicial districts and of the judges of the orphans' court of the twelfth judicial district shall be increased by two thousand dollars

Section 5 The judges of the courts of common pleas of Dauphin County and the judges of the orphans' court of Dauphin County shall each receive eighteen thousand dollars (\$18,000) annually

Section 6 In any county where a separate orphans' court is established the annual salary of each judge of the said orphans' court shall be the same as is paid to the judge or judges of the court or courts of common pleas in such county

Section 7 The annual salary of the President Judge of the Municipal Court of Philadelphia shall be increased (\$2000) and the annual salary of each of the other judges of said court shall be increased two thousand dollars (\$2000)

Section 8 The annual salary of the President Judge of the County Court of Allegheny County shall be increased two thousand dollars (\$2000) and the annual salary of each of the other judges of said court shall be increased two thousand dollars (\$2000)

Section 9 When any judge learned in the law is called in as now provided by law to assist the judge or judges of any other judicial district such judge so called in shall be entitled to receive for each day he is actually engaged in the performance of such duty the sum of forty dollars (\$40) per day and actual traveling expenses not in excess

of ten cents (10c) for each mile traveled to and from the place of holding court in such district

Section 10 The annual salaries hereinbefore provided for shall be paid monthly by warrant of the Auditor General on the State Treasurer

Section 11 This act shall become effective on the first day of June one thousand nine hundred and forty-seven

Section 12 The act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780)

entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" the act approved the sixth day of May one thousand nine hundred and thirty-one (P. L. 97)

entitled "An act to amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled 'An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' fixing the mileage for assigned judges" the act approved the first day of June one thousand nine hundred and thirty-one (P. L. 317) entitled "An act to amend section four of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled 'An act to fix the salaries and compensation of the judges of the Superior Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' by providing that salaries of judges of the courts of common pleas of certain judicial districts shall be fixed on the basis of the population of their respective districts as shown from time to time by the last preceding United States census" the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 921) entitled "An act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled 'An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' by reducing the compensation and further defining the traveling expenses of judges presiding in other districts" and the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 794) entitled "An act to amend section five of the act approved the sixteenth day of May one thousand nine hundred and twenty-nine (P. L. 1780) entitled 'An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' by extending the provisions of the said section to the judges of the orphans' court of Dauphin County" be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Bar,	Farrell,	Leader,	Stiefel,
Becker,	Frazier,	Lord,	Tallman,

Berger,
Blass,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,

Haluska,
Hare,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Stevenson,

Tarr,
Taylor,
Watson,
Wilson,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—7

Carr,
Heyburn,

Snowden,
Tyler,

Wade,
Wagner,

Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 155, as follows:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692) No 268) entitled "An act fixing the salary of county commissioners in counties of the first class" is hereby amended to read as follows

Section 1 Be it enacted &c That the annual salary of the county commissioners in counties of the first class shall be eight thousand eight hundred (\$8800) dollars

Section 2 The provisions of this act shall become effective on the first Monday of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,

Letzler,
Lord,
Mahany,
Mallery,
Margie,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, T. N.,
Wood, L. H.,
Woodring,
Walker,
Presiding Officer

NAYS—1

Rahauser,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 156, as follows:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover the deficiency accumulated up to May 31, 1945

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-eight thousand three hundred five dollars (\$68,305) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover a deficiency for the payment of maintenance and education of State pupils accumulated during the period beginning June 1, 1929 and ending May 31 1945

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 173, as follows:

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as last amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 632) is hereby further amended to read as follows

Section 14 The salaries of all county officers in [the] counties [to which this act applies which shall have less than two hundred and fifty thousand and over one hun-

dred and fifty thousand inhabitants each] of the fourth class shall be as follows namely

Of district attorney four thousand dollars

First assistant district attorney eighteen hundred dollars

Second assistant district attorney twelve hundred dollars when such office is found necessary by the salary board

Of sheriff six thousand dollars

Of prothonotary six thousand dollars

Of clerk of courts four thousand dollars

Of register of wills and ex-officio clerk of the orphan court four thousand dollars

Of recorder of deeds [four thousand dollars] forty-five hundred dollars

Of county treasurer five thousand dollars

Of county commissioners each twenty-five hundred dollars

Of county auditors where there is a controller each one hundred dollars

Of county solicitor one thousand dollars

Of county prison warden two thousand dollars

Of coroner two thousand dollars

Of county directors of the poor each fifteen hundred dollars

Of jury commissioners each five hundred dollars

Of county controller where such office exists or may be created four thousand dollars

Of county detective eighteen hundred dollars

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 247, on third reading, entitled:

An Act making an appropriation to the C Dudley Smith Clinic of the Saint Luke's and Children's Medical Center Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,
The Senate proceeded to the third reading and consid-
eration of Senate Bill No. 264, as follows:

An Act to further amend section eleven of the act ap-
proved the eighteenth day of July one thousand nine
hundred seventeen (P. L. 1043) entitled "An act estab-
lishing a public school employees' retirement system and
creating a retirement board for the administration
thereof establishing certain funds from contributions by
the Commonwealth and contributing employes defining
the uses and purposes thereof and the manner of pay-
ments therefrom and providing for the guaranty by the
Commonwealth of certain of said funds imposing powers
and duties upon boards having the employment of public
school employes exempting annuities allowances returns
benefits and rights from taxation and judicial process
and providing penalties" by extending the service al-
lowance of certain employes

The General Assembly of the Commonwealth of Penn-
sylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eight-
teenth day of July one thousand nine hundred seventeen
(P. L. 1043) entitled "An act establishing a public school
employees' retirement system and creating a retirement
board for the administration thereof establishing certain
funds from contributions by the Commonwealth and con-
tributing employes defining the uses and purposes thereof
and the manner of payments therefrom and providing for
the guaranty by the Commonwealth of certain of said
funds imposing powers and duties upon boards having the
employment of public school employes exempting annu-
ities allowances returns benefits and rights from taxation
and judicial process and providing penalties" as last
amended by the act approved the twenty-third day of
April one thousand nine hundred twenty-nine (P. L. 638)
is hereby further amended to read as follows

Section II In computing the length of service of a con-
tributor for retirement purposes under the provisions of
this act full credit shall be given to each contributor by
the retirement board for each school year of service as an
employee as defined in section one paragraph seven of this
act and for each school year for which credit is not other-
wise provided for in this act and during which the con-
tributor was a member of the American Expeditionary
Force in the World War or in activities connected there-
with approved by the retirement board or who were either
enlisted or drafted into the Army Navy Marine Corps or
the Enlisted Nurses' Corps of the United States and for
each school year during which the contributor was prior
to the eighteenth day of July one thousand nine hundred
seventeen a teacher instructor or supervisor in any state
or semi-state orphan school Under such rules and regula-
tions as the retirement board shall adopt each employe
shall file with the retirement board a detailed statement
of all such service rendered by him or her As soon as
practicable thereafter the retirement board shall verify
such statement as to prior service and shall issue to each
employe a certificate certifying to the aggregate length of
his or her prior service Such certificate shall be final and
conclusive as to his or her prior service unless thereafter
modified (a) by the retirement board upon application by
employe or (b) by the State Superintendent of Public
Instruction upon application by the employe or by the
retirement board provided such application for modifica-
tion be made to said State Superintendent of Public In-
struction within one year after the issuance of a certificate
or a modified certificate by the retirement board A certi-
ficate for prior service issued to a present employe shall
certify the total number of completed years of prior ser-
vice allowances for said present employe to and including
the thirtieth day of June nineteen hundred nineteen The
time during which an employe is absent without pay shall
not be counted in computing the prior service the total
service or the average salary of a contributor unless al-

lowed by the employer by whom said contributor was
employed at the time said leave of absence was granted
and further unless said allowance is approved by the re-
tirement board

Section 2 The provisions of this act shall become effec-
tive immediately upon final enactment

And said bill having been read at length the third time,
and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provi-
sions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margle,	Wade,
Blass,	Heyburn	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
Disilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the
question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House
of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consid-
eration of House Bill No. 345, as follows:

An Act to amend the act approved the twenty-second day
of May one thousand nine hundred thirty-five (P. L.
233) entitled "An act creating and establishing a fund
for the care maintenance and relief of aged retired and
disabled employes of the Bureau of Police in cities of
the second class providing a pension fund for said
employees and providing for the payment of certain
dues fees assessments fines and appropriations thereto
regulating membership therein creating a board for the
amanagement thereof providing the amount mode and
manner of payment to beneficiaries thereof and for the
care and disposition of said fund providing for the
payment into this fund by cities of the second class of
all monies heretofore payable into any other funds
organizations corporations or associations having the
same or similar purposes and of such additional monies
as may be necessary to carry out the provisions of this
act" to fix terms for which personnel of board of man-
agers shall be elected to change the method of deter-
mining availability for disability pensions to fix the
amount of co 'tributions of members and pension pay-
ments to beneficiaries and to provide in certain cir-
cumstances for the return of contributions

The General Assembly of the Commonwealth of Penn-
sylvania hereby enacts as follows

Section 1 Sections two four five eight ten eleven twelve
thirteen fourteen and sixteen of the act approved the
twenty-second day of May one thousand nine hundred
thirty-five (P. L. 233) entitled "An act creating and estab-
lishing a fund for the care maintenance and relief of the
aged retired and disabled employes of the Bureau of
Police in cities of the second class providing a pension
fund for said employees and providing for the payment
of certain dues fees assessments fines and appropriations
thereto regulating membership therein creating a board
for the management thereof providing the amount mode
and manner of payment to beneficiaries thereof and for
the care and disposition of said fund providing for the

payment into this fund by cities of second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" be and are hereby amended to read as follows

Section Such fund shall consist of and to it shall be transferred and paid

(1) All disciplinary fines imposed upon the policemen of such city

(2) The income from any and all trust funds which may hereafter be established by gift for the benefit of such persons as are eligible to be beneficiaries under this fund

(3) The dues of the members of the fund as hereinafter stipulated

(4) All donations and appropriations of money from whatever source which shall be made to the fund

(5) All monies heretofore required to be paid by cities of the second class to the organization or association constituting and having in charge the distribution of police pension funds in such cities

(6) Sums to be annually paid into said fund by each city of the second class in amounts sufficient to maintain the pensions or compensations due under this act. The public authorities of every city of the second class charged with the disbursement expenditures and appropriations thereof shall annually set aside apportion and appropriate out of all taxes and income of the said cities unto the fund hereby created a sum sufficient to maintain the pensions or compensations due under this act and to carry out the provisions of this act (7) Contributions by members to the fund shall be applied annually to pension payments made from the fund where the total contributions by members are insufficient to meet pension payments due the governing body of the municipality shall appropriate sufficient moneys to meet the obligations of the fund in the event that the appropriations made by the city are over and above the annual requirements of the fund such surpluses shall be returned by the pension fund to the general fund of the city

Section 4 Elections of the eight elective members of the board shall be held annually on the second Monday of January of each year beginning with the year one thousand nine hundred and thirty six and the said members so elected shall take office on the first day of February following their elections From and after the first day of February one thousand nine hundred forty-eight these eight members shall serve two year terms The four from the rank and file members shall hold over until the first day of February one thousand nine hundred forty-nine and thereafter such members shall be elected on the odd numbered years The other four elective personnel of the board shall be elected biannually on the even numbered years

Vacancies among the elective members of the board shall be filled by the board at its next meeting for the unexpired term

The time and place of holding the annual elections shall be designated and fixed by the board herein created

Section 5 The president and vice-president of the board shall be elected by the members of the board The board shall elect a secretary treasurer from the members of the fund who shall have been a civil service employee of the Police Department for at least five years prior to the date of his election and may elect or appoint a solicitor and such other employees as the board may deem necessary and shall fix the salary or compensation of all officers and employees elected or appointed by the board

Section 8 The membership of the fund shall consist of

(1) All persons who shall after the effective date of this act become employees of the Bureau of Police [as uniformed policemen or as detectives] including all substitute uniformed employees of the Bureau of Police [superintendent of police assistant superintendent of police inspector of police inspector of traffic inspector of detectives captain of police captain of detectives lieutenant of police lieutenant of detectives lieutenant of traffic lieutenant of motorcycles detective sergeant of police turnkey patrolman cornerman motorcycle patrolman radio

patrolman morals court officers traffic court officer and precinct detectives] Provided [That the membership of any person who shall become a member of the fund under and by virtue of the provisions of this sub-section shall be in no way affected or impaired by the fact that he thereafter becomes a chief Bertillon operator or Bertillon operator who shall have come from the ranks And provided further] That membership under this sub-section shall exist solely by virtue of the provisions of this sub-section and without the making of any application

(2) Each present employee of the Bureau of Police classified by part (1) of this section who at the effective date of this act is a member of any Employees' Pension Fund created under the Act of May twenty-eight of thousand nine hundred fifteen (P. L. 596) if and only if he elects to withdraw and resign from the said Employees' Pension Fund and to apply for membership in the fund created by this act

(3) Each person who at the effective date of this act is a member of any other association corporation or fund in the same city constituted for any having in charge the distribution of police pension funds but to whom a pension has not yet been granted by said other association corporation or fund if and only if he waives his right to receive any other pension than a death benefit from the said other association corporation or fund and applies for membership in the fund created by this act and assigns to the fund created by this act whatever amount of his contributions to the said other association corporation or fund of which he is a member at the effective date of this act he is permitted to withdraw from the said association corporation or fund by the laws and rules there now or hereafter in effect

(4) Each member of any other association corporation or fund in the same city existing or created for purposes similar to the purposes of the fund created by this act to whom prior to the effective date of this act a pension has been granted by the said other association corporation or fund and who has not forfeited his right to receive the said pension whether at the effective date of this act he is receiving the said pension or not if and only if he waives his right to receive from the said other association corporation or fund any other pension than a death benefit and applies for membership in the fund created by this act The waiver in such case is only to take effect from the date that the member first receives pension payments from the fund created by this act

Section 10 Each member in active service shall be required

(1) To contribute to said fund [three] five per centum of his rated monthly salary or wages which shall be deducted from his salary or wages by the city controller from the payroll for the last half of each month and paid into the fund

(2) Substitute employees of the Bureau of Police classified under section (1) of section 8 hereof shall be credited for pension and paid on the basis of actual days served in the Bureau of Police

(3) Regular and substitute employees shall serve at least one day in each month in order to be credited for each month's service for pension under this act

Section 11 When any member of the fund shall resign or be dismissed from service or shall die while in active service there shall be paid to him or to his widow and if no widow survive to his executor or administrator if his service has been terminated by death from the fund the dues paid by him into the fund without interest and the monies which the fund may have received under any assignment made by the said member to the fund at the time of his admission to membership under the provisions of sub-section (3) of Section 8 hereof

Section 12 A member of the fund who has severed his connection therewith and has subsequently again become a member thereof shall be required to pay a re-admission fee of \$5.00 and to return to the fund such monies as were paid to him from the fund when his membership in the fund was terminated with interest at the rate earned by the fund during the period

Such re-admission fee and refund shall be collected

om the monthly salary or wages of the reinstated member over the period of a year in the manner provided for sub-section (1) of section 10 hereof or in such manner and period as the board of managers may determine Full payment thereof shall be a condition precedent to the member being eligible to receive the benefits of the fund If however any such reinstated member shall be injured in the line of duty before he shall have made such full restitution and if the disability caused by such injury shall continue beyond the period during which compensation shall be paid to him under the provisions of the Workmen's Compensation Act of Pennsylvania he shall be eligible to pension under this act but any amount in which he shall have been indebted to the fund at the date of his injury shall be repaid if the board in its discretion shall so require in such monthly payments said board may determine which amounts shall be deducted from his pension as and when monthly payments thereof shall be made

Section 13 Members of the fund shall be eligible to receive pensions from said fund as follows

(1) A member who has been admitted to membership under the provisions of sub-section (4) of section 8 hereof shall at once and automatically be entitled to receive a pension as hereinafter stipulated

(2) A member who has been admitted to membership in this fund within sixty days from the effective date of this act under the provisions of sub-section (2) or sub-section (3) of section 8 hereof shall be entitled to receive pension from this fund upon written application of such member stating his desire to withdraw from service in said city or that his employment by the said city has been terminated and showing that such member has rendered at least twenty years' service to the said city at least one year of which was immediately prior to his application in which need not have been otherwise continuous service Such service shall total twenty years and shall include service in the armed forces of war Provided That the board of managers for good cause shown to their satisfaction may permit a member who has been admitted to membership more than sixty days after the effective date of this act to go on pension upon filing a written application containing the statements prescribed by this sub-section

(3) Any member who has become a member of this fund under the provisions of sub-section (1) of section 8 hereof who has been admitted to membership under the provisions of sub-section (2) or sub-section (3) of section 8 hereof more than sixty days after the effective date of this act shall be entitled to receive a pension from said fund upon written application of such member stating his desire to withdraw from service in said city or that his employment by the said city has been terminated and showing that such member has attained the age of fifty years and has rendered at least twenty-five years' service to the said city at least one year of which was immediately prior to his application but need not have been otherwise continuous service Such service shall total twenty-five years and shall include service in the armed forces of the United States in times of war

(4) Any member who while a member of the fund is injured in the line of duty and disabled through such injury shall be entitled to receive a pension from the fund created by this act upon written application of such member stating such facts and further showing that such disability continues and that the applicant is no longer entitled to payments from the city under the provisions of the Workmen's Compensation Act and its amendments upon approval by the board such member of the fund shall become a beneficiary thereunder

(5) Any member who has been admitted to membership in this fund who has become totally and permanently disabled upon compliance with such rules and regulations pertaining thereto as may be adopted by the board shall be entitled to receive a pension from this fund if he has rendered at least fifteen years service to said city at least one year of which was immediately prior to his application but which need not have been otherwise continuous service Such service shall total fifteen years and

shall include service in the armed forces of the United States in times of war

Section 14 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification	Monthly Payments	
Superintendent of Police	[\$125.00]	\$150.00
Assistant Superintendent of Police	[115.00]	135.00
Inspector of Police	[100.00]	120.00
Inspector of Traffic	[100.00]	120.00
Inspector of Detectives	[100.00]	120.00
Police Investigator of Child Delinquency		120.00
Captain of Detectives	[95.00]	115.00
Captain of Police	[95.00]	115.00
Lieutenant of Detectives	[95.00]	115.00
Lieutenant of Police	[90.00]	110.00
Lieutenant of Traffic	[90.00]	110.00
Lieutenant of Motorcycles	[90.00]	110.00
City Detective	[90.00]	110.00
Sergeant of Police	[85.00]	105.00
Chief [Bertillon] Identification Operator	[85.00]	105.00
Turnkey	[85.00]	105.00
Patrolman	[80.00]	100.00
Cornerman	[80.00]	100.00
Motorcycle Patrolman	[80.00]	100.00
Morals Court Officer	[80.00]	100.00
Traffic Court Officer	[80.00]	100.00
Precinct Detective	[80.00]	100.00
Bertillon Operator	[80.00]	100.00
Radio Patrolman	[80.00]	100.00

Provided that the increases in pension payment herein provided shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases such increased pension schedule shall be subject to revision by the general assembly in the event of a decline or a rise in the cost of living provided that in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amendment

The pensions for members holding positions not included in the above table shall be rated classified and determined by the board of managers in amounts proportionate to the pensions listed in the above table

No pension shall be granted or paid to any member based on the rank or position which he holds at the time of making application for pension unless he has held such rank or position for a period of one (1) year prior to the date of making such application

The first pension payments to be made under this act shall be those for the month of October one thousand nine hundred and thirty five which shall be payable on the third working day of November one thousand nine hundred and thirty-five Pension payments thereafter shall always be payable on the third working day of each month and shall be for the preceding month

Section 16 Any beneficiary of the fund who may obtain employment in the service of the city itself or county or State or any political sub-division thereof shall suffer suspension of his pension from the fund during the time of such employment If any beneficiary shall die before receiving in pension a sum equal to his total contributions to the fund such difference shall be paid to his widow or if no widow survive to his executor or administrator

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 429, as follows:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution and educational program in industrial and labor relations stating the objectives and purposes of said program conferring obligations and duties on the trustees and president of said institution providing for the establishment of an advisory committee its appointment and defining its powers and duties and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Findings It is necessary that understandings of industrial and labor relations be advanced that more effective cooperation among employers and employees and more general recognition of their mutual rights obligations and duties under the laws pertaining to industrial and labor relations in the Commonwealth be achieved that means for encouraging the growth of mutual respect and greater responsibility on the part of both employers and employees be developed and that industrial efficiency through the analysis of problems relating to employment be improved

Section 2 Policy In the interpretation and application of this act it is hereby declared to be the policy of this Commonwealth to provide facilities for instruction and research in the field of industrial and labor relations

Section 3 Establishment of Program The Pennsylvania State College is hereby authorized to offer through its extension services a program of instruction in industrial and labor relations under the provisions of this act

Section 4 Objects and Purposes The object of said program of instruction shall be to aid in the improvement of industrial and labor relations in the Commonwealth to provide instruction to conduct research and to disseminate information in all aspects of industrial labor and public relations affecting employers and employees

Section 5 Courses of Study Said program of instruction shall make available along with other subjects proposed by the advisory committee such subjects as

- 1) The history and development of industrial practices of employers and employees
- (2) The history and principles of sound industrial and labor relations and organization
- (3) The rights and obligations of employers and employees

(4) The history and development of laws relating to industry and to labor and

(5) All other phases of industrial labor and public relations of employers and employees tending to promote unity and the welfare of the people of this Commonwealth

Section 6 Duties of Trustees and Director It shall be the duty of the trustees of The Pennsylvania State College through its extension services to provide for an expanded educational program for management and labor in said college and in the several communities of the Commonwealth which shall utilize the full institutional resources of the college in order to further the objectives of this act

Section 7 Methods of Study The program shall provide for instruction by various methods and techniques including extension class instruction correspondence instruction and by varied informal methods or techniques of instruction

Section 8 Advisory Committee Powers and Duties The president of The Pennsylvania State College is hereby authorized to appoint an advisory committee composed of an equal number of representatives from management labor and the public selected from a list of representatives nominated by these respective groups and said committee shall be advisory in fact but may recommend policy but shall have no control of the actual implementation of said policy (beyond reviewing its development and application) in practice The committee shall meet at least twice each year and at such other times as may be requested by the majority of the member of the committee

Section 9 Appropriation For the purpose of providing for the development and operation of this educational program and service to management and labor and to the public and for its administration by The Pennsylvania State College there is hereby specifically appropriated to the Trustees of The Pennsylvania State College for the two fiscal years beginning the first day of July one thousand nine hundred forty-seven for the purposes herein set forth the sum of two hundred fifty thousand dollars (\$250,000)

The sum of seventy-five thousand dollars (\$75,000) of this amount or as much thereof as may be necessary may be used for the administration and organization of this program research preparation of audiovisual and other teaching materials and for the carrying on of conferences and other informal educational projects relating to these objectives The remaining sum of one hundred seventy-five thousand dollars (\$175,000) shall be available as and when matched on an equal basis by funds contributed by industry by labor or by fees collected for specific educational services authorized under this act are organized

Section 10 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Farrell,	Lane,	Tallman,
Becker,	Frazier,	Leader,	Tyler,
Berger,	Geltz,	Lord,	Wade,
Blass,	Haluska,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Wood, L. H.,
Crider,	Holland,	Margie,	Wood, T. N.,
Crowe,	Homsher,	Rahauser,	Woodring,
Dent,	Jaspan,	Rosenfeld,	Walker,
DiSilvestro,	Kephart,	Stevenson,	Presiding Officer
Doehla,	Klein,	Stiefel,	

NAYS—8

Chapman,	Scarlett,	Taylor,	Wilson,
Heyburn,	Snowden,	Watson,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 447, as follows:

An Act to further amend section two hundred thirteen and subsection B of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the catching possession and sale of bait fish and raising the license fee and increasing the length of time covered by tourist fishing licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 834) is hereby further amended to read as follows

Section 221 Non-resident and Alien Non-resident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Non-residents

* * * * *

B For the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth but a citizen of the United States and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of [one dollar and fifty cents (\$1.50)] two dollars (\$2.00) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of [three] five (5) consecutive days

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case of the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahausen,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Cridler,	Jaspan,	Scarlett,	Wolfe,

Crowe,
Dent,
DISilvestro,
Doehla,
Farrell,
Frazier,

Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,

Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 2 (Sec. 302), page 4, line 1, by striking out the compound word "forty-seven"; Amend sec. 2 (Sec. 302), page 4, by striking out in line 2 the words "to hunt or trap shall be," and all of lines 3 to 5 inclusive, and insert in lieu thereof the following: "shall be of the following kinds and fees:

(a) Small Game Hunter's License which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except those animals classed as big game two dollars and ten cents (\$2.10).

(b) Big Game Hunter's License which shall entitle the holder to hunt only for animals classed as big game but including the right to hunt or kill birds and animals classed as predators through the use of a lawful firearm or bow and arrow but not to trap two dollars and ten cents (\$2.10).

(c) Combination Hunter's License which shall entitle the holder to hunt or trap for all birds or animals covered by the separate licenses enumerated in paragraphs (a) and (b) above three dollars and ten cents (\$3.10)."

Amend sec. 3 (Sec. 303), page 6, line 2, by striking

out "fifteen dollars (\$15.00)" and inserting in lieu thereof: "ten dollars (\$10.00)"; Amend sec. 3 (Sec. 303), page 6, line 7, by striking out the words "twenty dollars (\$20.00)" and insert in lieu thereof: "fifteen dollars (\$15.00)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 463, as follows:

An Act to amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefore requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the hold-

ing of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" is hereby amended to read as follows

Section 202 Qualifications and Salaries Each member of the commission at the time of his appointment and qualifications shall be a citizen of the United States

No member of the commission during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States

The chairman of the commission shall receive a salary of [six thousand five hundred dollars (\$6500)] seven thousand two hundred fifty dollars (\$7250) per annum The other members of the commission shall receive salaries at the rate of [six thousand dollars (\$6000)] six thousand seven hundred fifty dollars (\$6750) per annum

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DISilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 502 on third reading, entitled:

An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by requiring certain experience as an operator before opening a beauty shop further regulating the eligibility requirements for examinations the right to give home treatments and the proceedings to revoke or suspend licenses and certificates and prescribing additional penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 522, as follows:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign non-profit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 801 Merger or Consolidation Authorized A [Two] Any two or more domestic nonprofit corporations formed for kindred purposes [may upon application to the court

in the manner hereinafter provided] or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner hereinafter provided in this article either be merged into one of such domestic nonprofit corporations hereinafter designated as the surviving corporation or be consolidated into a new nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr.	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazler,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 539, as follows:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in certain out-patient and dispensary service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to any other appropriations made to hospitals for State maintenance generally on a per diem basis the sum of one million five hundred thousand dollars (\$1,500.00) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of the maintenance of State-aided hospitals in the manner prescribed by law for dispensary work at the rate of one dollar (\$1.00) per dispensary visit for the medical and surgical services rendered to persons entitled to free service treated in such hospitals as out-patients and for which such free service such hospitals are not otherwise reimbursed Provided That such hospitals shall not receive such compensation at a rate in excess of the actual net cost of such service for each dispensary or out-patient visit

Section 2 No hospital of this Commonwealth shall be entitled to maintenance out of the additional funds hereby appropriated unless such hospital conforms to the standards established by the Department of Welfare to qualify hospitals for State maintenance generally

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 553, as follows:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of country auditors within this Commonwealth" increasing the compensation of county auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" as amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1115) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the auditors of each county shall be allowed out of the county funds the sum of [five dollars] six dollars (\$6) each for each and every day necessarily employed in the discharge of their duties together with six cents per mile circular from and to their homes once for each and every week so employed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,

DiSilvestro,
Doehla,
Farrell,
Frazier,

Lane,
Leader,
Letzler,
Lord,

Stiefel,
Tallman,
Tarr,

Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 607, as follows:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough town township school or poor taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four or any previous year have been returned to the county commissioners and such taxes have not been paid in full and no sale for such taxes has been held all such taxes so returned shall be liens on the real estate including veins of coal assessed for tax purposes upon which they were liens at the time of such returns for a period of five years from the effective date of this act Provided That any such lien be filed in the office of the prothonotary of the proper county within one year after the effective date of this act and thereafter the revival preservation and enforcement of said lien shall be governed in all respect by the provisions of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207)

Section 2 Whenever any county city borough town township school or poor taxes for the tax year one thousand nine hundred forty-four or any previous year have been heretofore returned to the county commissioners and the lien of such taxes still unpaid has been lost or the right of the county treasurer to sell the real estate including veins of coal assessed for tax purposes upon which such taxes were liens at the time of such return has expired by reason of the failure or neglect of the county treasurer to revive such liens by filing the same in the office of the prothonotary or to adjourn or readjust any tax sale or to advertise or give notice of any sale or of any adjournment or of any readjustment of sale as required by law or to secure the consent of the county commissioners or the approval of the court to any adjournment or readjustment of a tax sale or to hold a tax sale at or before the time of holding any tax sale on any other year's taxes the lien of any such taxes is hereby revived and the right of treasurer's sale thereon is hereby restored and such liens shall continue for a period of five years from the effective date of this act Provided That any such lien be filed in the office of the prothonotary of the proper county within one year after the effective date of this act and thereafter the revival preservation and enforcement of said lien shall be governed in all respects by the provisions of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 207)

Section 3 The lien of any such taxes shall not re-attach against and the county treasurer shall have no

right to sell for such taxes any real estate or veins of coal transferred to any purchaser during the time when the lien of any such taxes was lost nor shall the lien of any such taxes or the right to sell the real estate or veins of coal for such taxes impair or affect the priority of any mortgage lien or other encumbrance which gained priority during the time when the lien for such taxes was lost

Section 4 Where any taxes have heretofore been filed as liens in the office of the prothonotary by the county treasurer and said taxes together with fees and costs are collected or received by the county treasurer the county treasurer shall have the power and his duty shall be to mark satisfied the records of the prothonotary on which such liens have been entered

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 625, on third reading, entitled:

An Act to further amend section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salaries of the chairman and members of the Pennsylvania Public Utility Commission.

be recommitted to the Committee on State Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 635, as follows:

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" repealed in part by section three of the act approved the nineteenth day of May one thousand eight hundred ninety-seven (P. L. 67) is hereby amended to read as follows

Section 3 And be it further enacted by the authority aforesaid That the prothonotaries of the courts of common pleas and of the district courts and the court of nisi prius of this Commonwealth shall demand and receive on every original writ issued out of said courts (except the writ of habeas corpus) on the filing of every complaint by which an action is started and on the entry of every amicable action the sum of fifty cents on every writ of certiorari issued to remove the proceedings of a justice or justices of the peace or aldermen the sum of fifty cents on every entry of a judgment by confession or otherwise where suit has not been previously commenced the sum of fifty cents and on every transcript of a judgment of a justice of the peace or alderman the sum of twenty-five cents

Section 2 Section eight of said act is hereby amended to read as follows

Section 8 And be it further enacted by the authority aforesaid That the several prothontaries registers and recorders aforesaid shall annex to the said account a return upon oath or affirmation of the writs of error appeals writs of certiorari and habeas corpus for the removal of causes original writs complaints by which an action is started amicable actions ceritoraris judgments in cases where suits have not been previously commenced deeds mortgages and other instruments of writing letters testamentary and letters of administration which shall be transmitted to the [Auditor General] Department of Revenue with the account aforesaid

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 706, on third reading, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 715, as follows:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars (\$75,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania State College of Optometry Philadelphia Pennsylvania for the support and promotion of optometrical education for the two fiscal years beginning June first one thousand nine hundred forty-seven payment to be made according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Letzler,	Tallman,
Becker,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Farrell,	Leader,	Stiefel,	Woodring,

NAYS—1

Walker,
Presiding Officer

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants pro-services as may be necessary in assisting the department vide necessary travel and maintenance and legal or other in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private business schools and classes as defined by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 720, as follows:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The following words and phrases of this act shall have the meanings ascribed to them

a "Private Business School" or "School" shall mean a school maintained or classes conducted for the purpose of offering resident instruction for a consideration profit or tuition the purpose of which is to prepare an individual to pursue a recognized profitable occupation in commercial pursuits and business phases of other occupations for which graduation from a degree granting institution of

college grade is not required but shall not include junior colleges religious or bona fide non-profit or eleemosynary institutions

b "Board" shall mean the State Board of Private Business Schools

c "Annual" shall refer to the fiscal school year from July first to the following June thirtieth inclusive

d "Agents" shall mean any person whether employed by a school as above defined or operating in his own behalf or whether acting in behalf of any school defined by this act located within or outside of this Commonwealth who for a consideration shall solicit any individual within the Commonwealth to enroll in a school excluding bona fide teachers as provided at the discretion of the board

Section 2 The mandatory provisions of this act shall not include schools maintained or classes conducted by employers for their own employes where no fee or tuition is charged or schools owned and operated by bona fide eleemosynary or religious institutions or by the Commonwealth of Pennsylvania or any political subdivision thereof or junior colleges but such exempted schools or classes may choose to apply for a license hereunder and upon approval and issuance thereof shall be subject to the provisions of this act. Such exempted schools or classes may voluntarily surrender their license and revert to their original status

Section 3 (a) The provisions of this act shall be administered by the State Board of Private Business Schools which in connection therewith shall have the power to make and enforce rules and regulations not inconsistent with the provisions of this act. In promulgating such rules and regulations public hearings thereon shall be first held

(b) The Board shall consist of nine members of whom eight shall be appointed by the Governor and confirmed by the Senate in manner herein provided and the ninth member shall be the Superintendent of Public Instruction or his representative ex officio. The Governor shall appoint six members of the Board from a list of persons certified by the Superintendent of Public Instruction who have occupied executive or management positions in Private Business Schools in the Commonwealth for a period of at least five years and of which two such members shall be appointed from Eastern Pennsylvania two from Western Pennsylvania and two from other parts of the Commonwealth. Two of the six shall be appointed for a two year term two for a four year term and two for a six year term. Thereafter appointment shall be for a six year term. The Governor shall appoint one member of the Board who shall be a representative of Pennsylvania Department of Secondary School Principals and one member who shall be a representative of Pennsylvania Department of District Superintendents

Section 4 (a) Effective one hundred eighty (180) days after final enactment of this act no private business school or classes shall continue in operation or shall be established within the Commonwealth unless there is first secured from the Board a license issued in such form as the Board shall direct

(b) Effective six months after passage of this act no agent shall engage in solicitation within the Commonwealth unless he shall first be licensed by the Board

(c) The Board shall prescribe rules and regulations for the licensing of agents

Section 5 Before any license is issued to a school a verified application shall be made in writing to the Board on a form prepared and furnished by the Board. Such application shall require a statement showing (1) The title or name of the school or classes together with ownership and controlling officers thereof (2) The general field of instruction which will be offered and the purposes of such instruction (3) The place or places where such instruction will be given (4) A specific listing of the equipment available for instruction in each field (5) The qualifications of instructors and supervisors (6) Financial resources available to equip and to maintain the school or classes (7) Such additional information as the

Board may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto

Section 6 (a) Each original application shall be accompanied by a license fee of fifty dollars (\$50) and each application for the renewal of a license shall be accompanied by a license fee of twenty-five dollars (\$25). No fee shall be charged for a supplementary application for the approval of additional fields of courses of instruction

(b) All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue. No license fees shall be refunded in the event any license is refused or revoked or for any other reason

Section 7 The Board shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 8 No private business school or class shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the Board and its supervisors to inspect the school or classes and shall make available to the Board at any time when requested to do so full information pertaining to any or all items of information contained in the application form which currently is provided by the Board to applicants for a license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the Board

(3) The advertising and solicitation shall be free from misrepresentations or fraud. Provided that before any license shall be denied or revoked an opportunity shall be given to the school or class to correct such misrepresentation or fraud and no discipline shall be imposed unless such school or class shall refuse to correct the situation. In the event that such school or class disagree with the decision of the Board on such issue it may appeal within thirty (30) days to the common pleas court as provided hereafter and no disciplinary action shall be taken by virtue of such appeal

(4) The premises equipment and conditions of the school or classes shall be adequate safe and sanitary in accordance with standards of the Commonwealth of Pennsylvania applicable to such premises and equipment

Section 9 (a) Before the license of any licensee or any registration or any certification is suspended or revoked by the Board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity be afforded him to be heard before the Board personally and by counsel. At least ten (10) days' written notice of the time and place of such hearing shall be given the licensee registrant or person by registered mail addressed to the post office address as shown on the annual registration or other record or information in possession of the Board

(b) Any person aggrieved by the action of the Board in suspending or revoking a license registration or certification or by any other action of the Board which is alleged to be improper unreasonable or unlawful may appeal from such action of the Board in writing to the Court of Common Pleas of Dauphin County

(c) Appeals from suspensions and revocations of licenses registrations and certifications must be taken within thirty (30) days after such suspension or revocation of which action immediate notice shall be given by the Board to the licensee registrant or person by registered mail addressed as above provided. In the case of appeals from other actions of the Board the appeal may be taken at any time by the person aggrieved by such action. Such appeal shall automatically act as supersedeas

(d) Appeals shall be taken by serving upon the Board written notice of such appeal together with reasons for such appeal. Such service shall be made by filing the said notice of appeal in the office of the Board

(e) Within thirty (30) days after the service of such notice of appeal the Board shall file with the prothonotary of the said court of common pleas a transcript of

the record of the proceedings Notice of the filing of said transcript with the term and number to which filed shall be forthwith given by the Board to the appellant and as well to the party or parties if any upon whose complaint the proceedings before the Board were instituted The cost of the said transcript at twenty-five cents (25c) per folio and one dollar (\$1) for the certification shall be entered as part of the record costs in the cause to be paid as the court may direct

(f) The court upon application by the Board or the appellant shall fix a time and place for hearing at which time or at any adjournment thereof the appeal shall be heard de novo by the judge or judges of the court The appellant shall be entitled to a trial by jury if demanded The court shall affirm the decision of the Board unless it shall find the same is in violation of the constitutional rights of the appellant or is not in accordance with the law or was made upon unlawful procedure or that any finding of fact made by the Board and necessary to support its adjudication is not supported by substantial evidence If the adjudication of the Board is not affirmed the court may set aside or modify it in whole or in part or may remand the proceeding to the Board for further disposition in accordance with the order of court

(g) Either party may appeal from the decision of the Court of Common Pleas of Dauphin County to the Superior Court Such appeals shall be taken and prosecuted in the same manner and with like effect as is provided by law in other cases of appeal to the Superior Court and the records certified to the Superior Court shall contain all that was before the court of common pleas The decree of the Superior Court shall be final and conclusive

Section 10 Any person who shall operate without being licensed as required by this act or exempted therefrom as provided in this act or shall knowingly give any false or forged evidence of a material kind to the Board in order to obtain a license shall be sentenced to pay a fine of not less than fifty and not more than five hundred dollars or to undergo imprisonment not more than one year or both If the violation shall be by a corporation partnership or association the officers of such corporation or members of such partnership or association with guilty knowledge of the fact shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 11 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735 on third reading, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDING OFFICER. Is there objection- The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 745, as follows:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred nineteen (P. L. 300) is hereby further amended to read as follows

Section 1121 The annual salary of each county superintendent elected or appointed under the provisions of this act shall be paid by the State from appropriations made for this purpose or from the appropriations for the public schools [and shall be fifteen dollars (\$15)] for each of the first one hundred schools within his jurisdiction at the time of his election and ten dollars (\$10) for each such additional school Provided That the salary of a county superintendent shall not be less than two thousand dollars (\$2000) per annum nor more than two thousand five hundred dollars (\$2500) per annum but a convention

of school directors assembled for the purpose of electing a county superintendent may vote him a salary greater than the amount he would receive by this act such increase to be paid in all cases out of the school fund apportioned to the school districts over which such county superintendent has supervision before the same is distributed. The salaries of county superintendents shall be paid monthly.

In addition to the said salary each county superintendent shall be entitled to receive annually [a sum not to exceed five hundred dollars for] the payment of the actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law. In providing the budget an average of seven hundred dollars (\$700) shall be used in estimating the travel cost of county superintendents provided that the Department of Public Instruction shall allocate the travel funds to the several counties in accordance with regulations to be determined by the Superintendent of Public Instruction. Payments shall be made monthly on account of such expenses to any such county superintendent by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner.

Section 2 Section one thousand one hundred thirty of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows:

Section 1130 The minimum salary of each assistant county superintendent or supervisor of special education as hereinafter in this act provided shall be paid out of the State appropriation for public schools in such payments and manner as the county superintendents are paid. Any additional salary granted by the school directors of any county at their convention for electing county superintendent to any assistant county superintendent or supervisor of special education shall be paid from the school appropriation apportioned among the several school districts under the supervision of the county superintendent before the same is distributed. The salaries of assistant county superintendents and supervisors of special education shall be paid monthly.

In addition to the said salary each assistant county superintendent and each supervisor of special education shall be entitled to receive annually [a sum not to exceed five hundred dollars for] the payment of actual and necessary expenses incurred in visiting schools within his district in attending educational meetings and in the performance of such other official duties as may be required by him by law. In providing the budget an average of seven hundred dollars (\$700) shall be used in estimating the travel cost of assistant county superintendents and supervisors of special education provided that the Department of Public Instruction shall allocate the travel funds to the several counties in accordance with regulations to be determined by the Superintendent of Public Instruction. Payments shall be made monthly on account of such expenses to any such assistant county superintendent or supervisor of special education by requisition of the Superintendent of Public Instruction upon the Auditor General upon the production to him of itemized vouchers in the usual manner.

Section 3 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-seven.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Cridler,
Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,
Frazier,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Sriefel,
Tallman,
Tarr,

Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 755, on third reading, entitled:

An Act exempting cigarette vending machines leased loaned hired or condition lly sold from levy or sale on execution or distress for rent

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 757, on third reading, entitled:

An Act to further amend sections five and sixteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers, and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," providing for the time of payment of salaries to county officers.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 777, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies. The General Assembly of the Commonwealth of Pennsylvania hereby enact: as follows

Section 1 Subsection (b) of section six hundred thirty-four and subsection (e) of section nine hundred fifty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 634 Substituted nominations for special elections

* * *

(b) In case of the death or withdrawal of any candidate nominated by a political body for a special election the committee named in the original nomination papers may nominate a substitute in his place by filing a substituted nomination certificate in the form and manner prescribed by Section 980 of this act in the case of a vacancy caused by the death of any candidate said nomination certificate shall be accompanied by a death certificate properly certified provided however that no substitute nomin on certificate shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the same special election

Section 951 Nominations by Political Bodies

* * *

(e) There shall be appended to each nomination paper offered for filing an affidavit of each candidate nominated therein stating (1) the election district in which he resides (2) the name of the office for which he consents to be a candidate (3) that he is eligible for such office (4) that he will not knowingly violate any provision of this act or of any law regulating and limiting election expenses and prohibiting corrupt practices in connection therewith (5) that his name has not been presented as a candidate by nomination petitions for [the same] any public office to be voted for at the ensuing primary election nor has he been nominated by any other nomination papers filed for [the same] any such office

Section 2 The first paragraph of section nine hundred seventy-six of said act as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 526) is hereby further amended to read as follows

Section 976 Examination of Nomination Petitions Certificates and Papers Return of Rejected Nomination Petitions Certificates and Papers When any nomination petition nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act it shall be the duty of the said officer or board to examine the same No nomination petition nomination paper or nomination certificate shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavit or (b) it contains material alteration made after signing without the consent of the signers or (c) it does not contain a sufficient number of genuine signatures as required by law or (d) in the case of nomination petitions if nomination petitions have been filed for printing the name of the same person for the same office except the office of judge of a court of record upon the official ballot of more than one political party or (e) in the case of nomination papers if the candidate named therein has filed a nomination petition for [the same] any public office for the ensuing primary or has been nominated for [the same] any such office by nomination papers previously filed or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office or (g) in the case of nomination papers the appellation set forth therein is identical with or deceptively similar to the

words used by any existing party or by any political body which has already filed nomination papers for the same office or if the appellation set forth therein contains part of the name or an abbreviation of the name or part of the name of an existing political party or of a political body which has already filed nomination papers for the same office The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet. The action of said officer or board in refusing to receive and file any such nomination petition certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the office of such officer or board Provided however That said officer or board shall be entitled to a reasonable time in which to examine any petitions certificates or papers and to summon and interrogate the candidates named therein or the persons presenting said petitions certificates or papers and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing

Section 3 Section nine hundred eighty of said act is hereby amended to read as follows

Section 980 Substituted Nominations by Political Bodies In case of the death or withdrawal of any candidate nominated by any political body by nomination papers the committee named in the original nomination papers may nominate a substitute in his place by filing in the proper office a substituted nomination certificate which shall set forth the facts of the appointment and powers of the committee (naming all its members) of the death or withdrawal of the candidate and of the action of the committee thereon giving the name residence and occupation of the candidate substituted thereby and the truth of these facts shall be verified by the affidavit annexed to the certificate of at least two members of the committee In the case of a vacancy caused by the death of any candidate said substituted nomination certificate shall be accompanied by a death certificate properly certified Provided however That no substitute nomination certificate shall nominate any person who [has already been nominated by any political party or by any other political body for the same office] was a candidate for nomination by any political party for any office to be filled at the ensuing November election whether or not nominated for such office by such political party or who has already been nominated by any other political body for any office to be filled at the ensuing November or special election

Section 4 Subsection (a) of section nine hundred eighty-one of said act as last amended by act No 9 approved the fifth day of March one thousand nine hundred forty-seven is hereby amended to read as follows

Section 981 Time for Filing Substituted Nomination Certificates (a) Substituted nomination certificates to fill vacancies caused by the withdrawal of candidates nominated at primaries or by nomination papers shall be filed with the Secretary of the Commonwealth or proper county board of elections as the case may be at least fifty days before the day of the general election and at least twenty days before the day of the municipal election Provided however That no substituted nomination certificate by a political body may be filed until after the primary election

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barr,	Jaspan,	Mallery,	Tyler,
Carr,	Kephart,	Margie,	Wade,
Dent,	Klein,	Rahauser,	Watson,
DiSilvestro,	Lane,	Rosenfeld,	Wilson,
Frazier,	Leader,	Scarlett,	Wood, L. H.,
Haluska,	Letzler,	Stevenson,	Wood, T. N.,
Holland,	Lord,	Tallman,	Woodring,
Homsher,	Mahany,	Tarr,	Walker,
			Presiding Officer

NAYS—12

Berger,	Crider,	Farrell,	Heyburn,
Blass,	Crowe,	Geltz,	Wagner,
Chapman,	Doehla,	Hare,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REQUEST THAT BILL GO OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 827, on third reading, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the board of public education receiver of school taxes and school treasurer in such districts and providing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. FRAZIER. Mr. President, this bill is one of the package that has to do with the Board of Education program. The school teachers are having a problem. If this bill goes over in its order I am afraid that the whole problem will be upset. I think maybe we ought to recess and discuss this matter.

Mr. TALLMAN. Mr. President, the gentleman from Philadelphia, Senator Frazier, has my sincere apology for having requested that Senate Bill 827 go over in its order but I was advised that the matter had been discussed with him and that my request was being made in accordance with his wishes and, if that is not so, as apparently it is not, then, Mr. President, I withdraw my request.

UNANIMOUS CONSENT REQUESTED THAT BILL GO OVER IN ITS ORDER

Mr. GELTZ. Mr. President, I ask that Senate Bill 827 go over in its order.

Mr. FRAZIER. If the Chair please, I dislike very much to object to this request but this is one of the problems that we have to solve immediately and if Senate Bill 827 goes over in its order the whole school schedule will be upset.

This situation is not of my making. We discussed the program, and the program was that Pittsburgh was to be divorced from Philadelphia and this program was to be confined to Philadelphia. The divorce did not take place, we are still married, and I think before this bill goes over in its order we had better recess and discuss it.

I ask therefore, Mr. President, that Senate Bill 827 go over in its order temporarily and that we recess.

Mr. GELTZ. Mr. President, in answer to the state-

ment just made by the gentleman from Philadelphia, Senator Frazier, I want this body to understand that before I made any move I talked with the sponsor of the bill in reference to amendments which he introduced late last night, which none of us were able to read until we got here today in session.

This bill was introduced, Mr. President, having fourteen and a half pages, all of which pages were stricken out by the sponsor's amendments as of yesterday and fifteen other pages put in, which makes it an entirely different bill.

I talked with the sponsor of this bill in reference to his amendments and he said, well, it can be changed over in the House. Mr. President, we can not afford to take that chance. If anyone reads this bill, particularly on Page 15, the definition of "business", it certainly is an entirely different bill than that with which we started.

The gentleman from Philadelphia said "well, let it come up and let it be voted down." Mr. President, I do not want the bill voted down because I realize the school districts of Philadelphia and Pittsburgh need some kind of enabling legislation, which apparently he did not realize when he said let it be voted down.

This bill can go over in its order until tomorrow, for amendment, or even until Thursday, and still be passed or get sufficient legislative days in the House for passage.

For that reason I ask that Senate Bill 827 go over in its order.

Mr. FRAZIER. Mr. President, I just have this to say—if the gentleman from Allegheny County objects to the bill as it is, let us put it up and vote on it as it is and kill the whole school program. If Allegheny County wants it killed, that is all right.

I still say, let us recess for a few minutes and see if this situation can not be ironed out.

MOTION TO RECESS

Mr. FRAZIER. Mr. President, I move that the Senate do now recess.

MOTION THAT SENATE BILL 827 GO OVER IN ITS ORDER

Mr. BARR. Mr. President, I move that Senate Bill 827 go over in its order.

The PRESIDING OFFICER. The gentleman from Philadelphia has the floor.

RECESS

Mr. FRAZIER. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. FARRELL. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 827, on third reading, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the board of public education receiver of school taxes and school treasurer in such districts and providing penalties.

go over in its order, temporarily.

The PRESIDING OFFICER: Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants provide necessary travel and maintenance and legal or other services as may be necessary in assisting the Department in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private correspondence schools and classes as defined by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 829, as follows:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred thousand dollars (\$600,000) or so much thereof as may be necessary is hereby appropriated to the Land-Grant College of Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of matching moneys appropriated or which may be appropriated by the Congress of the United States for use within the biennium for the support of research and extension work in agriculture and home economics in Pennsylvania as provided by the terms of an act of Congress approved the twenty-ninth day of June one thousand nine hundred thirty-five (Bankhead-Jones Act) as amended by the terms of Pamphlet Laws 76 approved the sixth day of June one thousand nine hundred forty-five (Bankhead-Flannagan Act) and Pamphlet Laws 733 approved the fourteenth day of August one thousand nine hundred forty-six (Hope-Flannagan Act)

Section 2 The moneys herein appropriated shall be available and expended only to the extent to which such moneys are necessary in order to meet the requirements for matching funds as provided in the above-named acts of Congress

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 834, on third reading, entitled:

An Act relating to the public school system prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents superintendents of special education supervisors of agriculture supervisors of home-making and district superintendents providing for reimbursement by the Commonwealth and for reimbursements by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing inconsistent legislation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, as follows:

An Act to amend clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" further regulating the licensing of dental hygienists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" is hereby amended to read as follows

Section 3 General Powers of the State Dental Council and Examining Board The State Dental Council and Examining Board (hereinafter called the board) created appointed and organized in accordance with the provisions of the Administrative Code and its amendments shall have power

* * * * *

(d) To provide for and to regulate the licensing and to license as a dental hygienist after examination any duly qualified persons not less than nineteen years of age of good moral character not addicted to the use of intoxicating liquor or narcotic drugs who has obtained the required education together with a certificate or diploma from an approved institution or college for the training of dental hygienists or who in lieu of such education and certificate or diploma from an approved institution or college for the training of dental hygienists has had fifteen (15) or more years experience in the practice of dental hygiene and who complies with all other requirements of law and submits an application for a license to practice dental hygiene on or before the thirty-first day of December one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,

DiSilvestro,
Doehla,
Farrell,
Frazier,

Lane,
Leader,
Letzler,
Lord,

Stiefel,
Tallman,
Tarr,

Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 841, as follows:

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its supplements as authorize aldermen justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morganza

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" is hereby repealed in so far as it authorizes aldermen and justices of the peace to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morganza

Section 2 Section sixteen of said act and the act approved the sixteenth day of April one thousand eight hundred fifty-seven (P. L. 219 Number 261) entitled "An act entitled 'A supplement to an act to incorporate an Association for the establishment of a House of Refuge for Western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital approved the twenty-second day of April A. D. one thousand eight hundred and fifty'" are hereby repealed absolutely

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 843, as follows:

An Act making an appropriation to the Department of Public Instruction for administering its program of in-service training

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars (\$10,000) or as much thereof as is necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of administering its program of in-service training of State and local officials of Pennsylvania and of officers and employees of public semi-public and private institutions and of the courts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn	Rahausen,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 847, as follows:

An Act to amend section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employees of institutions and of the courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as added by the act approved the thirteenth day of May one thousand nine hundred forty-seven (Act Number 94) is hereby amended to read as follows

Section 1313 Public Service Institute Board It shall be the duty of the Public Service Institute Board to establish and from time to time revise a program for the in-service training of State and local officials of Pennsylvania and of officers and employees of public semi-public and private institutions and of the courts and to provide for the administration thereof to prescribe qualifications of specialists teachers and other persons employed by the Superintendent of Public Instruction to carry out the program established by the board to receive funds from other sources and to have all such powers as may be needed to qualify to receive and expend such funds to carry out its program and to make a biennial report to the Superintendent of Public Instruction on the progress of the program of in-service training which report shall be included in the biennial report of the Superintendent of Public Institution to the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn	Rahausen,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 848, as follows:

An Act increasing the salaries of all elected county officers of counties of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The respective salary of each elected county officer of counties of the first class hereinafter elected shall be increased by ten per centum over the salary paid to each such county officer under existing law as of the date of approval of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margle,	Wade,
Blass,	Heyburn	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Willson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 850, as follows:

An Act to add section twelve point one to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof of establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled

"An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section twelve thereof a new section to read as follows

Transfer to Service under State Employees' Retirement Association

Section 12.1 Any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association by leaving with the retirement boards all of his or her accumulated deductions at the time he or she ceases to be a public school employee may retain his or her membership in the Public School Employees' Retirement Association but without credit under the Public School Employees' Retirement System for service for which credit is allowed under the State Employees' Retirement System and without the right to a disability retirement allowance under the provisions of section thirteen of this act and with final salary equal to the average annual salary earnable by the contributor as a public school employee for the years of service not exceeding ten immediately preceding his or her ceasing to be a public school employee and any person who has heretofore been a contributor and has ceased to be a public school employee and at such time becomes a State employee and a member of the State Employees' Retirement Association may restore his or her membership in the Public School Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of December one thousand nine hundred forty-seven the full amount of his or her accumulated deductions at the time of his or her ceasing to be a public school employee or any part thereof that may have been heretofore withdrawn Any such accumulated deductions left with or repaid to the retirement board as long as the former contributor continues to be a State employee and a contributor under the State Employees' Retirement Act shall be credited with regular interest thereafter

Nothing contained in this section shall limit the right of a public school employee who has heretofore separated or shall hereafter separate from his or her service as a public school employee to become a State employee and a member of the State Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to service as a public school employee at any time and to add to such retained or restored rights by further service and further payroll deductions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margle,	Wade,
Blass,	Heyburn	Rahauser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Willson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,

Doehla, Farrell, Frazier,	Leader, Letzler, Lord,	Tallman, Tarr,	Walker, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 851, as follows:

An Act to add section eleven point one to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section eleven thereof a new section to read as follows

Transfer to Service under Public School Employees' Retirement Association

Section 11.1 Any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association by leaving with the retirement board all of his or her accumulated deductions at the time he or she ceases to be a State employee may retain his or her membership in the State Employees' Retirement Association but without credit under the State Employees' Retirement System for service for which credit is allowed under the Public School Employees' Retirement System and without the right to a disability retirement allowance under the provisions of section twelve of this act and with final salary equal to the average annual salary earnable by the contributor as a State employer for the years of service not exceeding five immediately preceding his or her ceasing to be a State employee Any person who has hereofore been a contributor and has ceased to be a State employee and at such time becomes a public school employee and a member of the Public School Employees' Retirement Association may restore his or her membership in the State Employees' Retirement Association by repaying to the retirement board on or before the thirty-first day of

December one thousand nine hundred forty-seven the full amount of his or her accumulated deductions at the time of his or her ceasing to be a State employee or any part thereof that may have been heretofore withdrawn Any such accumulated deductions left with or repaid to the retirement board as long as the contributor continues to be a public school employee and a contributor under the Public School Employees' Retirement Act shall be credited with regular interest thereafter

Nothing contained in this section shall limit the right of a State employee who has heretofore separated or shall hereafter separate from his or her service as a State employee to become a public school employee and a member of the Public School Employees' Retirement Association to retain or restore his or her rights as a member as they existed at the time of such separation in the manner provided in this act or to return to service as a State employee at any time and to add to such retained or restored rights by further service and further payroll deductions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Mahany,	Taylor,
Becker,	Haluska	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn	Rahouser,	Wagner,
Carr,	Holland	Rosenfeld,	Watson,
Chapman,	Homsher	Ruth,	Wilson,
Crider,	Jaspan	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DISilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 852, as follows:

An Act to provide revenue for public school purposes in school districts of the first class imposing taxes upon certain classes of personal property providing for the assessment and collection of the same imposing duties on county assessing authorities boards of revision of taxes receivers of school taxes imposing duties on and providing for compensation to certain county treasurers and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Resident" A person copartnership or unincorporated association or company resident located or liable to taxation within a school district of the first class levying a tax under the provisions of this act or a joint stock company or association limited partnership bank or corporation formed created or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within a school district of the first class levying a tax under this act

"Board" The board of revision of taxes or other county assessing authorities of any county coextensive with a school district of the first class or in which a school district of the first class is located

Section 2 Tax on Mortgages Judgments etc Imposition and Rate of Tax Exceptions All personal property of the classes hereinafter enumerated owned held or possessed by any resident whether such personal property be owned held or possessed by such resident in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity or by any resident as trustee agent or attorney-in-fact jointly with one or more trustees agents or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax where such personal property is held and managed in such school district of the first class except as executor or administrator of the estate of a non-resident decedent and except as trustee for a resident or non-resident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation and the equitable interest in any such personal property of the classes hereinafter enumerated owned held or possessed by any resident where the legal title to such personal property is vested in a trustee agent or attorney-in-fact domiciled in another state or within this Commonwealth but outside the school district levying the tax or where the legal title to such personal property is vested in more than one trustee agent or attorney-in-fact one or more of whom are domiciled in another state or within this Commonwealth but outside the school district levying the tax and one or more of whom are domiciled within such school district such personal property is held and managed in another state or within this Commonwealth but outside the school district levying the tax and where such resident is entitled to receive all or any part of the income therefrom is hereby made taxable annually for the year 1948 and annually thereafter for public school purposes in school districts of the first class and shall be levied upon annually the board of public education in every such school district at the rate of not more than four (4) mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and except the public loans and obligations of any county city borough town township school district and incorporated district of this Commonwealth and except the bonds and obligations of bodies corporate and polite of this Commonwealth known as municipal authorities all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other state or of the United States and doing business in any school district of the first class levying the tax except first class or nonprofit corporations all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank bank and trust

company national banking association savings institution corporation or limited partnership liable to a tax on its shares or a gross premiums tax or liable to or relieved from the capital stock or franchise tax for State purposes under the laws of this Commonwealth and all moneys loaned or invested in other states territories the District of Columbia or foreign countries all other moneyed capital owing to individual citizens of the school district levying the tax Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company nor to loans shares of stock or other securities held by bankers or brokers solely for trading purposes nor to accounts or debit balances owing by customers of bankers or brokers in the usual courses of business nor to interest bearing accounts in any bank or banking institution savings institution employees' thrift or savings association whether operated by employees or the employer or trust company nor to personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary nor to personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions nor shall this act apply to the proceeds of any life insurance policy held in whole or part by the insurer nor the principal value of annuities nor to any personal property held in any trust forming part of a stock bonus pension or profit sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries which trust under the latest ruling of the Commissioner of Internal Revenue is exempted from Federal income tax And provided further That the provisions of this act shall not apply to building and loan associations or to shares of stock issued by building and loan associations or to savings institutions having no capital stock and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the tax herein provided for or any part thereof or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the tax on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institutions having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life casualty or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on their shares or the aforesaid capital stock or franchise tax for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner except as executors or administrator of the estate of a nonresident decedent and except as trustee for a resident or nonresident religious charitable or educational organization no part of the net earnings of which inures to the benefit of any private stockholder or individual shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That the provisions of this section shall not apply to personal property of the class hereinabove enumerated received or acquired with proceeds of money or property received from any person or persons copartnership or unincorporated association or company nonresident in or not located within such school

district or from any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth by any person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any person or persons copartnership or unincorporated association or company nonresident in or not located within such school district or for the use benefit or advantage of any joint-stock company or association limited partnership bank or corporation formed erected or incorporated by under or in pursuance of any law of the United States or of any state or government other than this Commonwealth nor shall the provisions of this section apply to personal property held for the use benefit or advantage of any resident who shall have in each of the ten preceding calendar years given or contributed all of his net income to any corporation organized or operated exclusively for religious charitable scientific literary or educational purposes

The value of the equitable interest in any personal property made subject to tax by this section shall be measured by ascertaining the value of the personal property in which such resident has the sole equitable interest or in case of divided equitable interests in the same personal property then by ascertaining such part of the value of the whole of such personal property as represents the equitable interest of such resident therein

Section 3 Returns of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the board upon a form prescribed prepared and furnished by the board a return certified by him as full true and correct to the best of his knowledge and belief and setting forth

(1) The aggregate actual value of each part of the different classes of property made taxable by this act held owned or possessed by such resident as of the listing date fixed annually in the manner provided herein either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

The failure of any taxable resident to receive or procure a return form shall not excuse him from making a return

(b) The return so made shall be certified to by the person making the same if an individual and in the case of copartnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) Whenever any personal property taxable under the provisions of this act was owned by a decedent at the time of his death and is held by his executor or administrator return of such personal property shall be made and the tax paid if such decedent was domiciled at the time of his death in a school district of the first class notwithstanding the residence or location of such executor or administrator or of any beneficiary or the place where such securities are kept

(d) Whenever any personal property taxable under the provisions of this act is held owned or possessed as trustee agent attorney-in-fact or in any other manner as hereinabove set forth by two or more persons copartnerships unincorporated associations companies limited partnerships joint-stock associations or corporations all of which are residents of the Commonwealth but not all of which are domiciled in the same school district levying this tax return of such personal property shall be made in a school district of the first class where any of the same are domiciled and there shall be paid in each such school district that portion of the tax imposed upon such personal property so held owned or possessed as the number

of such trustees agents or attorneys-in-fact domiciled therein bears to the total number thereof notwithstanding the residence of any beneficiary or the place where such personal property is kept

Section 4 Listing Date The board shall on or before the fifteenth day of January one thousand nine hundred forty-eight and annually thereafter fix a day as of which the property made taxable by this act shall be listed and returned The day so fixed shall be between the first and the fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If through inadvertence mistake or otherwise the board fails to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

Section 5 Payment of the Tax The tax imposed by this act shall be due and payable at the same time and subject to the same conditions as to discounts and interest as in the case of real property taxes due and payable to a school district of the first class

Section 6 Collection and Use of Tax Compensation of Collector All taxes penalties and fines imposed under the provisions of this act shall be paid to and collected by the Receiver of School Taxes or in school districts in which there is no Receiver of School Taxes by the County Treasurer of the county in which such school district is located and such County Treasurer shall pay the same to the School Treasurer of such school district and for his services as collector shall receive such compensation as the board of public education shall determine The Receiver of School Taxes shall receive no such compensation Such monies shall be collected by such collecting officials in the same manner as other taxes for school purposes are collected in such school districts

Section 7 Assessment by the Board Notice (a) If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by this act or shall file a return which is false incomplete incorrect or inaccurate the board shall make an assessment of tax against such resident of the amount of tax for which such resident is liable or for which he is believed by the board to be liable to which estimated return the board shall add fifty per cent (50%) and the aggregate amount so obtained shall be the basis for taxation

(b) The board shall notify such resident of the estimated assessment If such resident is dissatisfied with the assessment so made he may on or before the day fixed for appeals from assessments present reasons supported by oath or affirmation for his failure to file a return to include all of his taxable property therein or for having made a return which was incomplete incorrect or inaccurate and the board as the case may be may if satisfied with the excuse so presented permit the taxpayer to file his own return and substitute said return for the estimated return made by the board In all cases where a false return has been filed by the taxpayer the board may not relieve the taxpayer from the payment of the fifty per cent (50%) penalty but the estimated return shall be final except in those cases in which a true and correct return shall reveal a higher assessed value than that contained in the estimated return in which case the tax and penalty shall be based upon the true valuation

Section 8 Assessments Made at Any Time Within Five Years An assessment as herein provided may be made by the board at any time within five (5) years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the board shall have made previous assessments against such resident In any such case no credit shall be given for any penalty formerly assessed and paid The tax assessed by the board as provided herein either on the basis of the estimated return made by the board or on the basis of

the return filed by the taxpayer shall bear interest at the rate of six per cent (6%) per annum from the date when the tax was due and payable

Section 9 Petition for Reassessment Appeal (a) Any resident against whom an assessment is made may petition the board for a reassessment Notice of an intention to file such a petition or to appear and be heard shall be given to the board within thirty (30) days after notice of such assessment is given or sent by the board to the taxpayer as provided in this act The board shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the board and each petitioner who has duly notified the board of an intention to file a petition for reassessment or to appear and be heard shall be notified by the board of the time when and the place where such hearings shall be held All such petitions shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein If no petition for reassessment is filed with the board the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation

(b) If such petitioner is dissatisfied with the action of the board on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the board If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the board or the court of common pleas In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court

Section 10 Information at Source Reports The executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate shall file with such register of wills or clerk of the orphans' court a statement in duplicate under oath or affirmation setting forth the items included in such inventory or affidavit which may be liable to the tax imposed by this act The register or clerk with whom the same is filed shall forthwith send one copy thereof to the board It shall be the duty of the board to proceed at once to assess the tax due from such decedent with interest as heretofore provided in this act and whose duty it shall then be to proceed to assess the taxes due from such decedent Such assessment shall include all property owned held or possessed by the decedent which should have been returned by him for taxation for any former year or years not exceeding five (5) years In any case where a false incomplete incorrect or inaccurate return has been previously filed the board shall make an additional assessment for the five (5) years immediately preceding the year of assessment in the same manner as otherwise provided in this act In each school district the Receiver of Taxes or in school districts in which there is no Receiver of School Taxes the County Treasurer of the county in which the school district is located may proceed to collect the said tax by presenting a claim therefor to the orphans' court of the proper county or may proceed by action or suit at law in any court of competent jurisdiction or take any and all other appro-

priate steps or procedure for the collection of such taxes

Section 11 Examination of Books and Witnesses The board or any employee authorized in writing by it is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by this act Every such resident is hereby directed and required to give to the board or its duly authorized employees the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The board is hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses whom it believes have knowledge of such property

Section 12 Certified Statement to Board of Public Education and Collecting Officers for the purpose of enabling the board of Public Education to levy the taxes imposed by this act for 1948 and for every year thereafter it shall be the duty of the board to furnish annually at the same time as it furnishes the valuation of real property to the board of public education in school districts of the first class and to the Receiver of Taxes or in school districts in which there is no Receiver of Taxes to the County Treasurer of the county in which such school district is located a properly certified duplicate of the then existing adjusted valuation of all personal property taxable for school purposes

Section 13 Penalties (a) It shall be unlawful for any person or persons copartnership unincorporated association limited partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgage or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by the first section of this act and in all cases where such tax shall have been paid by the borrower or borrowers the same shall be deemed and considered usury and subject to the laws governing the same

(b) Any wilful failure on the part of the board register of wills or clerk of orphans' court to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars (\$500) and imprisonment not exceeding one (1) year

(c) Any person or officer who shall wilfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of a misdemeanor and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or undergo an imprisonment not exceeding two (2) years or both

Section 14 Repeal All acts and parts of acts inconsistent herewith are hereby repealed

Section 15 The provisions of this act shall become effective immediately upon final enactment and shall continue in effect until and including December 31 1949

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Eare,	Margle,	Wade,
Blass,	Heyburn,	Rahausen,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,

Crowe,
Dent,
DiSilvestro,
Doehla,
Farrell,
Frazier,

Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,

Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 860, as follows:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whosoever not being an officer agent or employee of a commissary ship's store or voluntary unincorporated organization of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy or not being a duly licensed dealer under the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) as re-enacted and amended known as the Cigarette Tax Act and entitled "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale making an appropriation and providing penalties" shall have in his possession two hundred (200) or more cigarettes upon which State Cigarette Tax has not been paid or to the containers of which Pennsylvania cigarette tax stamps are not affixed in the amount required by law shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution for each two hundred (200) cigarettes found in his possession the cigarettes shall be forfeited to the Commonwealth and in default of the payment of the said fine and costs he shall be imprisoned in the county jail one (1) day for each dollar of fine and costs unpaid

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I do not intend to speak for the Democratic caucus. I am speaking my personal opinion in the matter.

This bill makes unlawful the possession of untaxed cigarettes in the Commonwealth of Pennsylvania.

I do not believe that this bill will ever be enforceable and I believe that it will be a source of great annoyance to the traveling citizens of the state of Pennsylvania who happen to be coming in from neighboring states. It is a temptation for any person to purchase a few extra cartons of cigarettes when the difference in the state price in Pennsylvania and that in neighboring states is so great.

I have here an ad appearing in my local newspaper, a small town newspaper out in the western end of Penn-

sylvania, and here is an ad that offers for sale all popular brands of cigarettes, by mail, at \$1.39 a carton.

Mr. President, there is nothing we can do, as I understand it, to stop the importation of cigarettes through the mail. The individual citizens who will send, and are sending for cigarettes already, will be subject to spying and harassment on the part of persons who may dislike them. This, my friends, is another invitation to lawlessness, another invitation to citizens who have never broken the law, to become lawbreakers.

I believe the tax on cigarettes to be too high. I believe that the policy in Pennsylvania of just reaching out and getting taxes where it can fall on an item that can not fight back will result in much restrictive legislation in the years to come, on many items that are being taxed in Pennsylvania and not taxed in other states, and I want to say clearly that I would never vote for any bill that tries to uphold an injustice.

The thousands of men and women in Pennsylvania who smoke cigarettes are being taxed beyond a reasonable amount and now, to enforce that obnoxious tax and unreasonable tax, we are passing this legislation to make criminals out of every person that has any non-taxed cigarettes in his possession. My personal feeling on the matter is that I will not vote for this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crowe,
DiSilvestro,
Doehla,

Farrell,
Frazier,
Hare,
Heyburn,
Holland,
Homsher,
Kephart,
Lord,
Mahany,

Mallery,
Rahauser,
Rosenfeld,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Tyler,

Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Walker,
Presiding Officer

NAYS—9

Dent,
Haluska,
Jaspan,

Klein,
Lane,

Leader,
Margie,

Tarr,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on third reading, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1111, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing of operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definitions "Dealer" and "Owner" of section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which section was last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 290) are hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Dealer" (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or

exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building or a portion of a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles or (5) any person who maintains an established place of business and who is engaged in the business of buying selling or exchanging second hand motor vehicles for the purpose of remodeling taking apart or rebuilding the same or buying or selling of parts of second hand motor vehicles or the assembling of second hand motor vehicles parts or (6) any person engaged in the repair service or towing of motor vehicles [Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes]

* * * * *

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of a chattel mortgage or an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the mortgagor conditional vendee or lessee then such mortgagor conditional vendee or lessee shall be deemed the owner for the purpose of this act

Section 2 Section two hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 202 Application for Certificate of Title (a) Application for a certificate of title shall be made upon a form prescribed and furnished by the department and shall be accompanied by the fee prescribed in this act and shall contain a full description of the motor vehicle trailer or semi-trailer the actual or bona fide address and name of the owner together with a statement of the applicant's title and of any liens or encumbrances upon said motor vehicle trailer or semi-trailer and whether possession is held subject to a chattel mortgage or under a lease contract of conditional sale or other like agreement The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by said corporation to sign the application to which shall be attached written evidence of his authority The secretary shall use reasonable diligence in ascertaining whether or not the facts stated in said application are true and if satisfied that the applicant is the lawful owner of such motor vehicle trailer or semi-trailer or is otherwise entitled to have the same titled in his name the department shall issue a certificate of title bearing the signature or

facsimile signature of the secretary or such officer of the department as he shall designate and sealed with the seal of the department

(b) If a motor vehicle trailer or semi-trailer is used as collateral for a loan after certificate of title has been issued application for recording the lien on certificate of title may be made on the application for duplicate certificate of title as prescribed by the Secretary of Revenue

Section 3 Subsection (b) of section two hundred three and section two hundred five of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 203 Contents Delivery Effect and Life of Certificate of Title

* * * * *

(b) Where there are no liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title shall be delivered to the owner but otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. The certificate of title when issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors subsequent mortgagees lienors encumbrancers and purchasers that a lien against the motor vehicle trailer or semi-trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance. Upon the final payment being made of any lien or encumbrance the certificate of title shall be delivered immediately to the owner of said vehicle trailer or semi-trailer with proper evidence of satisfaction of same providing there are no subsequent liens or encumbrances. If there are any subsequent liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title upon final payment made of any lien or encumbrance shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment. A corrected certificate of title together with a statement of the remaining liens or encumbrances on record shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. A corrected certificate of title without statement of liens or encumbrances shall be issued by the department upon request of the owner when original certificate of title is returned with proper evidence that all said liens or encumbrances have been satisfied or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not been renewed within the three years immediately preceding the issuance of such corrected certificate of title providing that the computation of three years shall not include time before June first one thousand nine hundred thirty-seven

* * * * *

Section 205 Correction of Certificate of Title When it is shown by proper evidence upon investigation and good cause appearing therefor for that any certificate of title has been issued in error or containing incorrect information due to any cause or to a person not entitled thereto the secretary shall require the person to whom such certificate has been issued to return [of] such certificate of title together with any other information necessary for the adjustment of the department records and the secretary shall thereupon cancel such certificate and issue a corrected certificate of title without fee

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a

lars (\$25) and costs of prosecution and in default thereof magistrate be sentenced to pay a fine of twenty-five dollars shall undergo imprisonment for not more than (10) days

Section 4 Section two hundred six of said act is hereby amended to read as follows

Section 206 Duplicate Certificate of Title In the event of a lost destroyed or illegible certificate of title or for the purpose of recording a lien against any motor vehicle trailer or semi-trailer which lien arises after the certificate of title has been issued application may be made to the department or a duplicate upon a form furnished by the department which shall be signed by the owner and sworn to before a notary public or other officer empowered to administer oaths and accompanied by the fee provided in this act. Thereupon the department shall issue a duplicate certificate of title to the owner or person entitled to receive same under the provisions of this act

Section 5 Section two hundred eight of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 208 Change of Ownership by Operation of Law and Judicial Sale In the case of the transfer of ownership or possession of a motor vehicle trailer or semi-trailer by operation of law as upon inheritance devise or bequest order in bankruptcy insolvency replevin or execution sale or whenever a motor vehicle trailer or semi-trailer is sold at public sale to satisfy storage or repair charges or repossession is had upon default in performance of the terms of a chattel mortgage a lease contract of conditional sale or other like agreement made upon or in connection with any encumbrance or lien recorded and continuing of record in the department it shall thereupon become the duty of the person from whose possession such motor vehicle trailer or semi-trailer was taken if there are no liens encumbrances or legal claims thereon and without prejudice to his rights in the premises immediately to surrender the certificate of title for such motor vehicle trailer or semi-trailer to the person to whom possession of such motor vehicle trailer or semi-trailer has so passed. The secretary upon surrender of prior certificate of title or when that is not possible or when the certificate of title for such motor vehicle trailer or semi-trailer is held by a person holding a first lien encumbrance or legal claim thereon upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle trailer or semi-trailer and upon payment of the fee prescribed in this act and presentation of application for certificate of title may issue to the applicant to whom possession of such motor vehicle trailer or semi-trailer has so passed a certificate of title thereto but where a first lien encumbrance or legal claim upon such motor vehicle trailer or semi-trailer is held by another the secretary shall deliver the said certificate of title containing thereon a statement of the liens encumbrances or legal claims upon such motor vehicle trailer or semi-trailer to the person holding such first lien encumbrance or legal claim which shall be retained by such person until the entire amount of such first lien encumbrance or legal claim is fully paid by the owner of said motor vehicle trailer or semi-trailer when the said certificate of title shall be delivered to said owner by the person who held the first lien encumbrance or legal claim with proper evidence of satisfaction of same. A corrected certificate of title without statement of liens encumbrances or legal claims shall be issued by the secretary upon request of the owner when the original certificate of title is returned with proper evidence that all said liens encumbrances or legal claims have been satisfied or when the original certificate of title cannot be returned and proper evidence is produced that all said liens encumbrances or legal claims have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not been renewed within three (3) years immediately preceding the issuance of such corrected certificate of title. The certificate of title when

issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors subsequent mortgagees lienors encumbrancers and purchasers that a lien against the motor vehicle trailer or semi-trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance. Provided That the secretary shall not incur any personal liability in carrying out the provisions of this section or in furnishing any information from the records of the department with respect to the existence or nonexistence of any lien or encumbrance on any motor vehicle trailer or semi-trailer.

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days.

Section 6 Clause four of subsection (a) of section four hundred twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 412 Registration Suspended

(a) The secretary may suspend any registration with or without a hearing before the secretary or his representative in any of the following cases

* * * * *

4 Upon certification or request or order of any court or the Public [Service] Utility Commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders

Section 7 Section four hundred thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows

Section 413 Expiration of Registration. All [registrations for the year one thousand nine hundred thirty-nine shall expire March thirty-first one thousand nine hundred forty. Commencing with the year one thousand nine hundred forty and thereafter] registrations shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following. Registrations shall also expire when suspended for cause by the secretary and immediately upon the transfer of ownership or the destruction of the vehicle. Registrations for the succeeding year may at the option of their holders be used on and after March fifteenth of the current year.

Section 8 Section five hundred two of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 502 Use of Manufacturer's Jobber's and Dealer's Registration Plates Limited. Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle trailer or semitrailer owned or in the possession of a manufacturer jobber or dealer and operated by such manufacturer jobber or dealer or the employee of such manufacturer jobber or dealer when such motor vehicle trailer or semi-trailer is used (a) in the motor vehicle business of such manufacturer jobber or dealer (b) for the personal pleasure of such manufacturer jobber or dealer or the members of his family when operated by such manufacturer jobber or dealer or an immediate member of his family or when such manufacturer jobber or dealer is a corporation for the personal pleasure of not more than three officers thereof who are actively engaged in its business or the members of their families for the personal pleasure of the regular employees of such manufacturer jobber dealer or corporation when operated by such employee (c) for teaching a new operator how to operate a motor vehicle if such new operator has received a learner's permit and for such new operator to take an examination for an operator's license or (d) for testing motor vehicles trailers or semitrailers in the possession of such manufacturer jobber or dealer or (e)

for demonstrating motor vehicles trailers or semi-trailers in the possession of such manufacturer jobber or dealer and such vehicles may be operated by a prospective purchaser when licensed as an operator or permittee and when accompanied by the manufacturer jobber or dealer or an employee of such manufacturer jobber or dealer. Provided That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section one hundred two of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semitrailers on their own wheels and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) of said definition may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes. Provided That in no event shall manufacturers jobbers or dealers registration plates be used for any purpose other than as limited in this section.

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 9 Section five hundred ten of said act as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows

Section 510 The Expiration of Registration Plates (a) All registration plates [for the year one thousand nine hundred thirty-nine shall expire March thirty-first one thousand nine hundred forty. Commencing with the year one thousand nine hundred forty and thereafter registration plates] shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following. Registration plates shall also expire when suspended for cause by the secretary. Registration plates for the succeeding year may at the option of the owner be used on and after March fifteenth of the current year.

(b) No motor vehicle trailer or semi-trailer shall be operated with registration plates which have expired nor without registration plates on the claim by the owner or operator that registration plates for the current year have been applied for but not received.

Penalty Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 10 Subsection (c) (d) and (h) of section five hundred eleven of said act which section was added thereto by the act approved the twentysixth day of April one thousand nine hundred forty-three (P. L. 74) are hereby amended to read as follows

Section 511 Temporary Registration Plates or Markers

* * * * *

(c) Every [person] dealer who issues temporary registration plates or markers shall on the day that he issues such plates or markers send to the department a copy of the temporary registration plate or marker [application] certificate properly executed by such dealer and the owner together with the application for certificate of title and the annual registration plates.

(d) A [person] dealer shall not issue assign transfer or deliver temporary registration plates or markers to any one other than the bona fide purchaser [or owner] of the vehicle to be registered nor shall a [person] dealer issue temporary registration plates or markers [unless previous

to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate or marker application the owner has sent or sends a bona fide application for annual registration or shall a person] for a motor vehicle not owned and sold by the dealer. A dealer shall not issue temporary registration plates or markers to any one possessed of annual registration plates for a vehicle that has been sold or exchanged [nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates or markers to any person nor make application for or receive any temporary registration plates or markers for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates or markers] nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates or markers. It shall be unlawful for any person to issue any temporary registration plate or marker or plates or markers containing any mis-statement of fact or knowingly to insert any false information upon the face thereof. Any person who has been convicted of three or more violations of the provisions of this section shall not make application for or issue any temporary registration plates or markers.]

* * * *

(h) Every [person] purchaser who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department [previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in] accompanied by a copy of the temporary registration certificate prepared by the dealer. In no event shall such application for annual registration plates made later than the day on which the temporary registration plates or markers are issued to such owner.

Section 11 Section six hundred thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows:

Section 613 Expiration of Licenses All operator's licenses [issued for the year one thousand nine hundred thirty-nine shall expire on the last day of January one thousand nine hundred forty. Commencing with the year one thousand nine hundred forty and thereafter operator's licenses] shall be issued for a license year commencing on February first of one year and expiring January thirty-first of the year following. Operator's licenses shall also expire when revoked or suspended for cause by the secretary. Operator's licenses for the succeeding year may at the option of their owners be used on and after January fifteenth of the current year.

Section 12 Subsection (a) of section six hundred fourty-two (a) of said act as last amended by the act approved the thirty-seven (P. L. 2329) is hereby repealed.

Section 13 Section seven hundred fifteen of said act is hereby amended to read as follows:

Section 715 Transferring Registration The fee for transfer of registration shall be two (\$2) dollars when motor vehicle trailer or semi-trailer is of equal [or less horsepower or] classification than that originally registered or upon payment of a fee of two (\$2) dollars and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer be properly registered in a higher classification.

Section 14 Section seven hundred sixteen and subsections (e) and (f) of section eight hundred one of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows:

Section 716 Certificates of Title Duplicate Certificates of Title The fee for each certificate of title shall be two (\$2) dollars except in the case where the certificate of

title is issued in the name of the manufacturer jobber or dealer and the dealer manufacturer or jobber is possessed of current manufacturers' dealers' or jobbers' registration plates in which case the fee shall be fifty (\$.50) cents. The fee for a duplicate certificate of title shall be one (\$1) dollar except when issued for the purpose of recording a lien in which cases the fee shall be two dollars.

Section 801 Required Lighting Equipment

* * * *

(e) Reflectors Every motor bus motor omnibus commercial motor vehicle trailer or semi-trailer when operated on a highway shall display at the rear a red reflector meeting the following requirements:

Whenever a red reflector is so used or whenever reflectors are used as hereinafter provided it or they shall be mounted upon the vehicle at a height not to exceed forty-two (42) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands and every such reflector shall be of a type which at the time of its use is approved by the secretary and shall be so designed and maintained as to be visible at night from a distance within five hundred (500) feet to fifty (50) feet from such vehicle when directly in front of or [opposed] opposite to a motor vehicle displaying lawfully lighted head lamps as provided in this act.

(f) Commercial Motor Vehicles Trailers Semi-Trailers Buses and Omnibuses Every commercial motor vehicle trailer or semi-trailer or every motor omnibus or motor bus except motor buses or motor omnibuses operated entirely within municipalities when their interiors are illuminated shall display lighted lamps at the times mentioned in subsection (a) when and as required in this section except that such lamps may be but are not required to be lighted when any such vehicle is upon a highway which is sufficiently illuminated by street lamps to render any person or vehicle visible at a distance of five hundred (500) feet.

1 Electric Clearance Lamps Every such vehicle having a width at any part in excess of eighty (80) inches shall be equipped with two (2) electric clearance lamps located on the extreme left side of such vehicle. One located at the front and displaying an amber light visible from a distance of five hundred (500) feet to the front of the vehicle and the other located at the rear of the vehicle and displaying a red light visible from a distance of five hundred (500) feet to the rear of the vehicle and said red electric clearance lamp shall be in addition to the read lamp hereinbefore required. Provided however That vehicles equipped with acetylene headlamps may in lieu of such electric clearance lights be equipped with and amber reflector in front and a read reflector in the rear which shall be so designed and maintained to meet the requirements as to reflectors provided in this section.

2 Electric Identification Lamps Front and Rear Every motor vehicle trailer or semi-trailer or combination of such vehicles having a length in excess of thirty (30) feet or a width in excess of eighty (80) inches except those which shall be equipped to conform to the regulations of the Interstate Commerce Commission shall be equipped with electric lamps on the front displaying three (3) amber lights and electric lamps on the rear displaying three (3) red lights and the lights in each such group shall be evenly spaced not less than six nor more than twelve (12) inches apart along a horizontal line near the top of the vehicle and said lights shall be visible from distances of five hundred (500) feet to the front and rear respectively of the vehicle. Provided however That vehicles equipped with acetylene headlamps may in lieu of such electric identification lamps be equipped with red and amber reflectors.

3 Electric Side Marker Lamps Every such vehicle or combination of such vehicles which exceeds twenty (20) feet in overall length shall be equipped with at least four (4) electric side marker lamps. One (1) on each side near the front and one (1) on each side near the rear. Said electric lamps near the front shall display amber

lights and said electric lamps near the rear shall display read lights each visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located. If the electric clearance lamps on the left side of a vehicle as hereinbefore required display lights visible from a distance of five hundred (500) feet at right angles to the left of the vehicle they shall be deemed to meet the requirements as to left marker lamps in this paragraph. In lieu of such electric side marker lamps any such vehicle may be equipped with four (4) reflectors two (2) on each side and otherwise meeting the requirements of this act.

Section 15 Section eight hundred nine of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 310) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a stateemnt filed with the Pennsylvania State Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed [on] to the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 The penalty clause of section eight hundred thirteen of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 813 Official Inspection Stations

* * * * *
Penalty Any owner who operates such inspection station or any manager or operator thereof or any employee thereof or any other person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 17 Subsection (a) of section eight hundred twenty-eight of said act as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-two (1942 P. L. 14) is hereby further amended to read as follows

Section 828 School Buses Safety Requirements (a) "School Bus" for the purpose of this section is any vehicle registered as a commercial vehicle motor bus or motor omnibus or any vehicle having a lineal seating space including the space for the operator of more than one hundred (100) inches and [owned by or] used [under contract with any school or school district] for the transportation of school children Provided That said school bus not include motor buses operated by common carrier holding a certificate of the Public Utility Commission who also operate such motor buses over routes approved by such commission. And provided further That such buses comply with the safety regulations of that commission and the State Council of Education of Pennsylvania

Section 18 Subsection (c) of section nine hundred two and section one thousand two hundred one of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *
(c) No vehicle except motor buses and fire department equipment shall exceed a total maximum length including any load thereon of [three hundred ninety-six(396)]

four hundred twenty (420) inches and no combination of two (2) vehicles inclusive of load and bumpers soupled together shall exceed a total maximum length of six hundred (600) inches excepting that until but not after January fist one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further than nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Motor buses shall not exceed a length of four hundred twenty (420) inches

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than (6) inches from the path of the drawing vehicle's wheels

Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough town or township within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violatiions of the provisions of sections 207 210 212 406.1 511 610.1 [and] 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Haluska,	Mahany,	Wade,
Berger,	Heyburn,	Rosenfeld,	Wagner,
Blass,	Homsher,	Scarlett,	Watson,
Crowe,	Jaspan,	Snowden,	Wood, L. H.,
Dent,	Kephart,	Tallman,	Wood, T. N.,
Doehla,	Klein,	Taylor,	Woodring,
Farrell,	Lord,	Tyler,	Walker,
Frazier,			Presiding Officer

NAYS—16

Barr,
Carr,
Chapman,
Crider,

DiSilvestro,
Geltz,
Hare,
Holland,

Lane,
Leader,
Mallery,
Margie,

Stevenson,
Tarr,
Wilson,
Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1156, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for the purpose of purchasing proper cases for the original William Penn Charter Frames of Government Indian Deed and other historical documents pertaining to the founding of Pennsylvania in order to permanently preserve and to exhibit said priceless historical documents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,

Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

Doehla,
Farrell,
Frazier,

Leader,
Letzler,
Lord,

Tallman,
Tarr,

Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1180, as follows:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" increasing the compensation of township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 325) is hereby further amended to read as follows

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for the organization of the township commissioners and shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justice of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts under charged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive [five dollars] six dollars per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahauser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homsher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1273, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, as I understand this bill it is a bill which will repeal an act which now would allow the Commonwealth of Pennsylvania to build buildings in the city of Pittsburgh and in the city of Philadelphia, in order that we would get away from paying high rents we pay now for space for state departmental use and, further than that, the argument that was first advanced for the passage of the original act was that it would give the people of Pennsylvania that have business to attend to with the state, a central place to go to to attend to their business without running all over the city looking for one office in one building and another office in another building on another street.

There can be no justification, as I see it, for the repeal of this act. When the state is ready to build we all

know it will and should build these buildings in the cities of Pittsburgh and Philadelphia.

I can not understand why this bill is needed unless landlords and landlords who own buildings that are now being tenanted by the Commonwealth of Pennsylvania are interested in the high rentals they are receiving and, as I understand it, that amounts to \$300,000 a year in the city of Philadelphia alone.

I for one can not see any justification for the passage of this repealer.

Mr. KEPHART. Mr. President, I agree with what the gentleman from Westmoreland has just said.

In 1945 this Legislature passed a bill for the construction of two office buildings, one in Allegheny County, Pittsburgh, and one in Philadelphia. In that bill \$1,500,000 was appropriated. This bill will wipe that appropriation out and when the time comes to build the needed building in either of those places, Philadelphia or Pittsburgh, it is going to be delayed two or three years at least by reason of our passing this repealer.

I say what we should have done was to save, out of the bill we passed in 1945, at least enough money to have architects to make working plans so that when the time comes when prices are reasonable, there could be erected buildings for offices in Pittsburgh and Philadelphia and we could plan for the future and save the rentals being paid for space in Philadelphia and Pittsburgh.

I want to make one correction because I understand the amount of rent they are paying in Philadelphia now for state office space amounts to \$600,000 rather than \$300,000 annually.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Doehla,	Mallery,	Wagner,
Berger,	Farrell,	Scarlett,	Watson,
Blass,	Frazier,	Snowden,	Wilson,
Carr,	Geltz,	Stevenson,	Wolfe,
Chapman,	Hare,	Tallman,	Wood, L. H.,
Crider,	Heyburn,	Taylor,	Wood, T. N.,
Crowe,	Homsher,	Tyler,	Walker,
	Lord,	Wade,	Presiding Officer

NAYS—15

Barr,	Holland,	Lane,	Rosenfeld,
Dent,	Jaspan,	Leader,	Tarr,
DiSilvestro,	Kephart,	Margie,	Woodring,
Haluska,	Klein,	Rahauser,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1337, on third reading, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the

imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania State Tax to any additional transfer inheritance tax assessed against an estate.

go over in its order,

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1342, as follows:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Legislative Department by the act to which this is a supplement are hereby specifically appropriated as follows

Legislative Department

To the Senate

For the payment of the deficiency in the appropriation for the payment of the mileage of fifty senators session of one thousand nine hundred and forty-seven the sum of two thousand dollars (\$2000)

For the payment of the deficiency in the appropriation for the payment of the salaries of the officers and employees of the Senate session of one thousand nine hundred and forty-seven also for the payment of the session and recess salaries of all officers and employees whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employees of the Senate whose present salaries are provided for in this section the sum of thirty-one thousand dollars (\$31,000) for the two years beginning June first one thousand nine hundred and forty-five

For the payment of the deficiency in the appropriation for the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty-six and the entire period of the

session of one thousand nine hundred and forty-seven should the same extend beyond May thirty-first the sum of one thousand dollars (\$1000)

To the House of Representatives

For the payment of the deficiency in the appropriation for the payment of the mileage of two hundred and eight members of the House of Representatives session of one thousand nine hundred and forty-seven the sum of seven thousand dollars (\$7000)

For the payment of the deficiency in the appropriation for the payment of salaries of the officers and employees of the House of Representatives session of one thousand nine hundred and forty-seven also for the payment of session and recess salaries of all officers and employees whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employees of the House of Representatives whose present salaries are provided for in this section the sum of forty-one thousand dollars (\$41,000) for the two years beginning June first one thousand nine hundred and forty-five

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler compiler and bill drafter compiler and bill reading clerk search clerk messenger and file clerk chief clerk reference librarian stenographers charwomen regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred forty-five and for the session of the General Assembly of one thousand nine hundred forty-seven and for maintenance law books incidental expenses traveling expenses and emergency clerical help and emergency assistant if needed for two years for the Legislative Reference Bureau the sum of two thousand five hundred dollars (\$2500)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Hare,	Margie,	Wade,
Blass,	Heyburn,	Rahausser,	Wagner,
Carr,	Holland,	Rosenfeld,	Watson,
Chapman,	Homscher,	Ruth,	Wilson,
Crider,	Jaspan,	Scarlett,	Wolfe,
Crowe,	Kephart,	Snowden,	Wood, L. H.,
Dent,	Klein,	Stevenson,	Wood, T. N.,
DiSilvestro,	Lane,	Stiefel,	Woodring,
Doehla,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,	Lord,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 689 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. FRAZIER. Mr. President, I call from the Third Reading Postponed Calendar, Senate Bill No. 689, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 689, as follows:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended by adding thereto after section 4 thereof certain new sections to read as follows

Section 4.1 (a) For the purpose of ascertaining the amount of tax payable under the first section of this act it shall be the duty of every resident liable to pay such tax on or before the fifteenth day of February of each year to transmit to the Board for the Revision of Taxes or the County Commissioners upon a form prescribed prepared and furnished by the Board for the Revision of Taxes or the County Commissioners a return certified as provided in section 3 of this act

(1) The aggregate actual value of each part of the different classes of property made taxable by the first section of this act held owned or possessed by such resident as of the date fixed annually in the manner provided herein either in his own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company limited partnership joint-stock association or corporation

(2) The amount of interest dividends or other income derived from each class of such property at any time during the preceding calendar year and

(3) Such other relevant information as may be required by the Board for the Revision of Taxes or County Commissioners concerning each of the different classes of property enumerated in the first section of this act owned held or in any manner possessed by such resident

(b) The return so made shall be certified to by the person making the same if an individual and in the case of copartnership unincorporated association and joint-stock association and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof

(c) The tax imposed by section one hereof shall be due and payable at the same time and subject to the same conditions as to discounts and interest as in the case of real property taxes imposed by the county

Section 4.2 The Board of Revision of Taxes or the County Commissioners shall fix a day as of which the property taxable by the first section of this act shall be listed and returned The day so fixed shall be between the first and fifteenth days of the month of January both inclusive and the day so fixed shall be printed or stamped on the forms for making returns of all such property If

through inadvertence mistake or otherwise the Board of Revision of Taxes or the County Commissioners fail to designate or fix such date or if such date does not appear on the form for making return of such property the date as of which such property shall be listed and assessed shall be the immediately preceding first day of January

Section 2 Section five of the said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 703) is hereby amended to read as follows

[Section 5 Upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eight sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct according to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the property county commissioners or board of revision of taxes may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred Provided further That in cases where by the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make return a return has been made by the assessor which is incomplete and a penalty has been added by the county commissioners or board of revision of taxes or a return so made and no penalty added or whereby such refusal or failure no return has been made either by him or it or by the assessor such action shall not estop the county commissioners or board of revision of taxes from the assessment and collection from him or it or from the estate of any deceased person so failing or refusing of any tax or additional tax due whenever the facts may become known and it shall be the duty of the county commissioners or board of revision of taxes to assess or reassess any such personal property for any former year or years not exceeding five years and collect the tax or the balance of the tax which should have been paid together with interest thereon at the rate of six per centum per annum In ascertaining the balance found to be due no credit shall be given for any penalty formerly assessed and paid And provided further That in every case of an incorrect inaccurate false or incomplete return it shall be the duty of the county commissioners or board of revision of taxes whenever the facts may become known to reassess the personal property of

any such taxable for any former year or years and to collect the balance of the tax found to be due together with interest at the rate of six per centum per annum. And provided further That the executor of every will and the administrator of every estate at the time of filing with the register of wills or clerk of the orphans' court the inventory and appraisal of such estate or of any affidavit setting forth the real and personal property of such decedent for the purpose of determining the inheritance tax shall in addition thereto file an affidavit in duplicate setting forth the items included in such inventory or affidavit which may be liable to a tax during the last completed taxing period for county purposes or in cities coextensive with counties for county and city purposes under the provisions of this act.

And the officer with whom the same is filed shall forthwith send one of said copies of such affidavit to the county commissioners or the board for the assessment and revision of taxes as the case may be whose duty it shall then be to proceed as hereinbefore directed for the assessment and recovery of the taxes due from such decedent to the said counties or cities coextensive therewith with interest as above provided and for that purpose to present a claim therefor to the orphans' court of the proper county or to proceed by action or suit at law in any court of competent jurisdiction for such recovery thereof or to take any or all appropriate steps or procedure for the collection of said taxes.

And provided further That it shall be the duty of the county commissioners or board of revision of taxes upon their making any assessment or reassessment where no return has been made or an incorrect inaccurate false or incomplete return has been made as aforesaid to give notice thereof to the taxable or his or her executor or administrator of the assessment and when they will sit to hear an appeal therefrom].

Section 5 If any taxable resident shall fail to file a return or fail to include in any return all of his property made taxable by the first section of this act or shall file a return which is false incomplete incorrect or inaccurate the board of revision of taxes or the county commissioners shall make an assessment of tax against such resident of the amount of tax for which such resident is liable or for which he is believed by the board of revision or county commissioners to be liable to which estimated return the board of revision of taxes or county commissioners shall add fifty per cent and the aggregate amount so obtained shall be the basis for taxation.

The board of revision or the proper county commissioners shall notify such resident of the estimated assessment. If such resident is dissatisfied with the assessment so made he may on or before the day fixed for appeals from assessments present reasons supported by oath or affirmation for his failure to file a return to include all of his taxable property therein or for having made a return which was incomplete incorrect or inaccurate and the board of revision of taxes or the county commissioners as the case may be may if satisfied with the excuse so presented permit the taxpayer to file his own return and substitute said return for the estimated return made by the board of revision of taxes or the county commissioners. In all cases where a false return has been filed by the taxpayer the board of revision or the county commissioners may not relieve the taxpayer from the payment of the fifty per cent penalty but the estimated return shall be final except in those cases in which a true and correct return shall reveal a higher assessed value than that contained in the estimated return in which case the tax and penalty shall be based upon the true valuation.

An assessment as herein provided may be made by the board of revision of taxes or the county commissioners at any time within five years after any property owned held or possessed or alleged to have been so owned held or possessed by any resident should have been returned by him for taxation notwithstanding he shall have paid a tax assessed on the basis of returns previously made or filed and notwithstanding the board of revision of taxes or the county commissioners shall have made previous

assessments against such resident. In any such case no credit shall be given for any penalty formerly assessed and paid. The tax assessed by the board of revision of taxes or the county commissioners as provided herein either on the basis of the estimated return made by the board or the commissioners or on the basis of the return filed by the taxpayer shall bear interest at the rate of six per cent per annum from the date when the tax was due and payable.

Section 3 The said act is hereby amended by adding thereto after section five thereof certain new sections to read as follows:

Section 5.1 (a) Any resident against whom an assessment is made may petition the board of revision of taxes or the county commissioners for a reassessment. Notice of an intention to file such a petition or to appear and be heard shall be given to the board of revision of taxes or the county commissioners within thirty (30) days after notice of such assessment is given or sent by the board of revision of taxes or the county commissioners to the taxpayers as provided in this act. The board of revision of taxes or the county commissioners shall hold such hearings as may be necessary to hear and determine petitions for reassessment at such places and at such times as may be determined by rules and regulations of the board of revision of taxes or the county commissioners and each petitioner who has duly notified the board of revision or the county commissioners of an intention to file a petition for reassessment or to appear and be heard shall be notified by the board of revision of taxes or the county commissioners of the time when and the place where such hearings shall be held. All such petitions shall set forth specifically and in detail the ground upon which it is claimed the assessment is erroneous or unlawful and shall be accompanied by an affidavit under oath or affirmation certifying to the correctness of the facts stated therein. If no petition for reassessment is filed with the board of revision of taxes or the county commissioners the petitioner may in lieu thereof appear at the hearing and present his petition orally in which event all testimony or statements of facts shall be made under oath or affirmation.

(b) If such petitioner is dissatisfied with the action of the board of revision of taxes or the county commissioners on his petition for reassessment he shall have the right to appeal to the court of common pleas of the county where he resides at any time within sixty (60) days after notice of such action is given to him by the board of revision of taxes or the county commissioners. If any resident shall fail to give due notice of an intention to petition for reassessment and to file a petition for reassessment or to appear and be heard after due notice of his intention to do so or to appeal to the court of common pleas within the time and in the manner herein set forth the right to do so shall be forever barred and any such resident so failing shall not thereafter be permitted in a suit for the recovery of such tax to set up any ground of defense which might have been determined either by the board of revision of taxes or county commissioners or the court of common pleas as aforesaid. In all cases of petitions for reassessment and appeals the burden of proof shall be on the petitioner or appellant as the case may be and every appeal to the court of common pleas under this section shall specify all the objections to the assessment and any objection not specified in the appeal shall not be considered by the court.

Section 5.2 The executor of every will and the administrator of every estate shall file with the register of wills or clerk of the orphans' court an additional copy of the inventory and appraisal of such estate. The register or clerk with whom the same is filed shall forthwith send a copy of said inventory and appraisal to the board of revision of taxes or the county commissioners as the case may be whose duty it shall then be to proceed to assess and collect the taxes due from such decedent. Such assessment shall include all property owned held or possessed by the decedent which should have been returned by him

for taxation for any former year or years not exceeding five years In any case where a false incomplete incorrect or inaccurate return has been previously filed the board of revision or the county commissioners shall make an additional assessment for the five years immediately preceding the year of assessment in the same manner and form provided in section five of this act The board of revision of taxes or the county commissioners may proceed to collect the said tax by presenting a claim therefor to the orphans' court of the proper county or may proceed by action or suit at law in any court of competent jurisdiction or take any and all other appropriate steps or procedure for the collection of such taxes

Section 5.3 (a) The board of revision of taxes or the county commissioners are hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of tax penalties and interest imposed by this act

(b) The board of revision of taxes or the county commissioners or any employee authorized by them in writing is hereby authorized to examine the books papers and records of any resident in order to verify the accuracy of any return made or if no return was made to ascertain and assess the tax imposed by the first section of this act Every such resident is hereby directed and required to give to the board of revision of taxes or the county commissioners or their duly authorized employees the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized The board of revision of taxes or the county commissioners are hereby authorized to examine any person under oath concerning any property which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons whether as parties or witnesses who they believe have knowledge of such property In the event of the refusal of any taxpayer to permit the examination of his books and records or upon his refusal to appear before the board of revision of taxes or the county commissioners or to testify or in the event of his refusal to produce books papers and records which the board of revision of taxes or the county commissioners have directed to be produced the board of revision of taxes or the county commissioners may have recourse to the court of common pleas of said county which court shall upon cause shown direct the attendance of witnesses and the production of records Any information gained by the board of revision of taxes or the county commissioners as a result of any returns investigations hearings or verifications required or authorized by this act shall be confidential except for official purposes and any person or agent divulging such information shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not in excess of five hundred dollars (\$500.00) or to undergo imprisonment for not more than three (3) years or both in the discretion of the court

(c) The powers conferred by this act upon the board of revision of taxes and the county commissioners relating to the administration and enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the said board or county commissioners by law

Section 4 Section sixteen of the said act is hereby amended to read as follows

Section 16 [That the tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities coextensive with counties for city and county purposes are collected under the laws of this Commonwealth Provided however That no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation]

Section 16(a) The tax imposed by the first section of

this act shall bear interest at the rate of six per cent per annum until paid

(b) The board of revision of taxes or the county commissioners may at any time transmit to the prothonotary of their respective counties certified record of taxes imposed under the first section of this act and the penalties and interest thereon The record so transmitted shall contain the name of the taxpayer his address amount of tax penalty and interest due and the year for which said tax has been assessed and levied and it shall be the duty of the prothonotary to enter and docket the same of record in the prothonotary's office in a docket which shall be designated "Personal Property Tax Lien Docket" and such tax lien shall be indexed as judgments are now indexed All taxes imposed under the first section of this act together with penalties and interest thereon shall be a lien on the real estate of taxpayer within the county until paid after the same shall have been entered and docketed of record by the prothonotary All such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said real estate before any other obligation judgment claim lien or estate with which the said real estate may become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and the real estate taxes imposed or assessed upon said property The lien of said tax shall continue for a period of five years from the date of entry and may be revived and continued in the manner now or hereafter provided for revival of judgment and it shall be lawful for a writ of scire facias to issue and be prosecuted to judgment in the manner in which such writs are now ordinarily employed

(c) Claims for taxes due under this act may be collected by action in assumpsit brought by the county against the taxpayer or may be presented at the audit of any estate in the orphans' court

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Cridler,
Crowe,
Dent,
DISilvestro,
Doehla,
Farrell,
Frazier,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,
Lord,

Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE from the Committee on Elections, reported as committed, House Bill No. 803, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of the said act relating to removal notices transfer of registration checkup of registers and street lists

He also, from the Committee on Elections, re-reported as committed House Bill No. 50, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists.

He also, from the Committee on Elections, reported as committed, House Bill No. 882, entitled:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personnel registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relat-

ing to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

He also, from the Committee on Elections, reported as committed, House Bill No. 60, entitled:

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement

Mr. MALLERY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY from the Committee on Local Government, reported as committed, Senate Bill No. 259, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh, and eighth class.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 260, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Government, reported as committee, Senate Bill No. 663, entitled:

An act to fix the salaries of register of wills in counties of the second to sixth class inclusive.

He also, from the Committee on Local Government, reported as committed, House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

He also, from the Committee on Local Government, reported as amended, House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes, to provide the time of paying the same, and to repeal all acts inconsistent herewith.

He also, from the Committee on Local Government, reported as committed, House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to war veterans and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act making an appropriation to the Philadelphia Committee for Prevention of Blindness, Inc., for the purpose of maintaining services for the control of causes of blindness

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 83, on second reading, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory three year revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings specifications or other data

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 733, on second reading, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education

be recommitted to the Committee on Education.

Mr. T. NEWELL WOOD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and ad-

ministrative details for the determination payment and collection of such contribution and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies with the approval of the Governor to acquire by purchase or condemnation land with or without buildings to erect buildings to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth upon termination of said lease to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary and providing that land and buildings acquired hereunder shall be exempt from taxation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals for a survey of the need for additional hospital facilities and for the development and administration of a hospital construction program which will in conjunction with existing facilities afford hospital adequate to serve all people of the State and appropriating money establishing methods of administration and control providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend sections three four and five of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 158) entitled "An act creating a Legislative Reference Bureau providing for the election of a director by the General Assembly designating the officers and employees of such bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation" further defining the powers of the director with respect to the employs of the Bureau and increasing the director's salary.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN on behalf of Mr. WALKER offered the following amendment:

Amend Sec. 1 (Sec. 3), page 3, line 4, by striking out "nine thousand (\$9,000)" and inserting in lieu thereof "eight thousand two hundred fifty (\$8,250)."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania requiring bills to be considered on three different days in each House.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 830, entitled:

An Act to further amend section seven of article two of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Secretary of Mines where the need demands to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides and in general making provisions thereof conform to existing law.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 857, entitled:

An Act to amend section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or

local or any parts thereof that are or may be inconsistent therewith" by increasing the salary of school controllers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 858, entitled:

An Act to further amend section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the limit on the amount to be retained by registers of wills for their own use for collecting inheritance taxes as agents of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 861, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. LLOYD H. WOOD offered the following amendments:

Amend page 6, by inserting between lines 5 and 6 a new section to read as follows:

Section 3 Subsection (g) of section seven hundred ten of said act as last amended by the act approved the twenty-eighth day of April, one thousand nine hundred forty-three (Pamphlet Laws, ninety-four), is hereby amended and subsection (h) is hereby added to read as follows:

Section 710. Pennsylvania State Police.—The Pennsylvania State Police shall have the power and its duty shall be:

* * * * *

(g) To enforce the laws regulating the use of the highways of this Commonwealth, and to assist the Department of Revenue in the collection of motor license fees, fees for titling vehicles and tractors, operators' license fees, the tax on cigarettes, and the tax on liquid fuels, and the issuance of certificates of title and motor and operators' licenses.

(h) Search without warrant any boat, conveyance, vehicle or receptacle or any place of business when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed or vested in the Department of Revenue

Amend section 3, page 6, line 6, by striking out after the word "Section" and before the word "The" the following: [3] and inserting in lieu thereof the following: "4".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. LLOYD H. WOOD offered the following amendments:

Amend the title, page 1, line 1, by inserting after the word "amend" and before the words "the act" the following: "Section two hundred thirteen, subsection (f) of section four hundred forty-eight, subsection (g) of section seven hundred ten and to add subsection (h) to section seven hundred ten of"; Amend the title, page 2, by adding at the end thereof the following: "to authorize the Pennsylvania State Police to assist the Department of Revenue in the collection of the tax on cigarettes and to permit search without warrant for law violations where the duty of enforcement or administration is in the Department of Revenue."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman Recreational Park Mead Township Warren County for constructing buildings and improvements and maintenance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioner's clerk in the County of Northampton"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in certain newspapers in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veterans' affairs and the payment by counties of certain expenses in connection therewith.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1014, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction the officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1087, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1103, entitled:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fee for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1322, entitled:

An Act making an appropriation to the trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1341, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER., from the Committee on Labor and Industry, reported as committed, Senate Bill No. 859, entitled:

An Act to further amend section four of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry, and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

BILL INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School taxes School Treasurer and School Controller in such districts and providing penalties

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Education, reported as committed, Senate Bill No. 800, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the classification of school districts.

He also, from the Committee on Education, reported as committed, Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 113, entitled:

An Act to add section eight point one and to amend section thirteen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the power and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by further providing for the assessment and valuation of buildings under construction and land which has been laid out in building lots.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 213, entitled:

An Act to further amend section two hundred nine and subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" raising compensation of the Governor Lieutenant Governor and the heads of departments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgments of written instruments made by corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 236, entitled:

An Act to amend subsections one and two of section nine of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one, (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgments taken without the State shall be authenticated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh, and eighth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 260, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 288, entitled:

An Act regulating increase in rent upon the lifting of federal rent controls; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 316, entitled:

An Act to amend section four of article XVI of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by increasing the salaries of councilmen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act to amend sections eight, nine and fourteen of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 389), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," providing for marking; and changing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act to further amend clause (c) of section two of the act, approved the twenty-third day of May, one thousand nine hundred nineteen (P. L. 278), entitled "An act supplementary to an act, approved the eleventh day of May, one thousand nine hundred eleven, entitled 'An act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof,' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test; prohibiting the use of inaccurate testing glassware; defining the term Standard Babcock Glassware; and fixing penalties for the violations of the provisions of this act," regulating contents of Standard Babcock Pipette.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 360, entitled:

An Act to repeal certain statutes relating to weights and measures.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments, boards and commissions shall be administered," increasing the salary of the Commissioner of Fisheries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 392, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" changing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 427, entitled:

An Act to further amend sections six and seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" changing the weight of a bushel of hair (plastering) and exempting from necessity of net quantity being marked thereon any package containing less than one ounce of liquid or dry commodities and selling for five cents or less

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into state banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain state departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class and amending, revising, and consolidating the law relating thereto" by providing that the right to participate in the police pension fund, after having been established shall not be forfeited

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 654, entitled:

An Act to permit employes of counties cities boroughs towns and townships to accumulate annual sick leave in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 657, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 663, entitled:

An Act to fix the salaries of register of wills in counties of the second to sixth class inclusive.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 674, entitled:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 676, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to reenact sections one to nine, inclusive of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2803, Act No. 588), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," to make the same applicable to the annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class, and repealing inconsistent laws, excepting as to proceedings now pending.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring periodic revisions of standards of the State Council of Education with reference to school buildings; providing for advisory committees in connection therewith; and making the type of heating and ventilating systems optional with boards of school directors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 800, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the classification of school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employees of the office of the collector of taxes to become members of the city retirement system under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain townships roads as State Highways; authorizing their construction maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 859, entitled:

An Act to further amend section four of the act, approved the twenty-seventh day of April, one thousand

nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry, and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Warren State Hospital, to sell and convey a certain tract of land in the township of Glade, County of Warren, Pennsylvania, but reserving herefrom an existing easement of a right-of-way and of ingress and egress for continuance of such easement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 866, entitled:

An Act relating to the regulation, control and stabilization of rents in housing accommodations during an emergency, creating a temporary state housing rent commission, prescribing its powers and duties and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension funds of cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania, and the States of Ohio, West Virginia and Indiana in the construction, operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike, as authorized to be extended, to the western border of Indiana; authorizing the Governor for these purposes to enter into agreement with the States in question; creating an Inter-State Turnpike Commission and defining its powers and duties, including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of the deputies clerks and assistants of tax collectors in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 949, entitled:

An Act to authorize political subdivisions and agencies thereof to participate in the Federal Social Security program in order to secure coverage for their officers and employees under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand eight hundred

sixty-one (P. L. 708), entitled "An act relating to brokers and private bankers," by changing the times for filing returns and for payment of the tax due.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1185, entitled:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employees thereof and contracts for pensions for such employees and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or

buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing remedies for violation thereof and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors of liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing the liquid fuels taxable under the provisions of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE BILL No. 827 CALLED UP

Mr. FRAZIER. Mr. President, I now call up Senate Bill No. 827, on page 16, and ask that it be acted upon

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 827, as follows:

An Act to provide Revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the board of public education receiver of school taxes and school treasurer in such districts and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

(1) "Person" shall mean any individual partnership limited partnership association or corporation whenever used in any clause prescribing or imposing a penalty the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

(2) "Business" shall mean any enterprise activity profession occupation or undertaking of any nature involving in the broadest sense directly or indirectly as principal agent factor or otherwise the selling leasing loaning renting advancing supplying or furnishing or dealing in of goods commodities wares merchandise moneys choses in action or any other personal property of any kind or description whether tangible or intangible or of services of any kind or nature conveniences accommodations or entertainment including inter alia The conducting or operating of a hotel an agency a restaurant or establishment where food drink or refreshments are furnished or served a brokerage money lending or discounting business office or establishment or a place of amusement to persons engaged in other businesses or to the general public or to a limited or selected number thereof either at wholesale or retail conducted in a school district of the first class except for the following any manufacturing business any business conducted by a nonprofit corporation or association organized for religious charitable or educational purposes and any hawking or peddling business licensed under any other law of this Commonwealth

(3) "Broker" shall mean any stock broker bill broker note broker loan broker exchange broker merchandise broker factor commission merchant real estate broker or agent insurance broker or agent and pawnbroker

(4) "Place of amusement" shall mean any place indoors or outdoors where the general public or a limited or selected number thereof may upon payment of an established price attend or engage in any amusement entertainment exhibition contest athletic event recreation including among other places theaters opera houses motion pictures houses amusement parks stadia arenas baseball football parks or fields skating rinks circus or carnival grounds or grounds fair grounds bowling alley billiard or pool rooms shuffle board rooms nine or ten pin alleys riding academies golf courses bathing and swimming places dance halls tennis courts archery rifle or shotgun ranges and other like places

(5) "Tax year" shall mean the twelve month period corresponding to the fiscal year of the school district levying the tax

(6) "Gross Receipts" shall include both cash and credit transactions

(7) "Collector" shall mean the receiver of school taxes in a school district of the first class in which there is such receiver of school taxes the school treasurer

Section 2 Authority to levy and collect tax use of tax for the year one thousand nine hundred forty-eight and annually thereafter every school district of the first class shall levy and collect an annual business tax in the manner and at the rates hereinafter set forth Such tax

shall be in addition to any other tax Every such school district is empowered to levy and collect under any existing law The Taxes and penalties collected under the Provisions of this act shall be used by every such school district for general public school purposes

Section 3 Imposition and rate of tax every person engaging in any business in any school district of the first class shall pay an annual business tax at the rate herein set forth

(1) Wholesale business at the rate of one-half ($\frac{1}{2}$) mill on each dollar of the annual gross receipts thereof

(2) Retail business at the rate of one (1) mill on each dollar of the annual gross receipts thereof

(3) Wholesale and retail business at the rate of one-half ($\frac{1}{2}$) mill on each dollars of the annual gross wholesale receipts and one (1) mill on each dollar of the annual gross retail receipts thereof

Section 4 Computation of annual gross receipts

(a) Every person subject to the payment of the tax hereby imposed who has commenced his business at least one (1) full year prior to the beginning of any tax year shall compute his annual gross receipts upon the actual gross receipts received by him during the preceding calendar year

(b) Every person subject to the payment of the tax hereby imposed who has commenced his business less than one (1) full year prior to the tax year one thousand nine hundred forty-eight for the tax year one thousand nine hundred forty-eight or who has commenced his business subsequent to the beginning of any tax year for such tax year and the succeeding tax year shall compute his annual gross receipts upon the actual gross receipts received by him during the first month of his engaging in such business multiplied by the number of months of the current tax year remaining or multiplied by twelve (12) for the first full tax year he engages in business as the case may be

(c) Every person subject to the payment of the tax hereby imposed who engages in a business temporary seasonal or itinerant by its nature shall compute his annual gross receipts upon the actual gross receipts received by him during such period

Section 5 Returns (a) Every return shall be made upon a form furnished by the collector every person making a return shall certify the correctness thereof by affidavit

(b) Every person subject to the tax imposed by this act who has commenced his business at least one (1) full year prior to the beginning of any tax year shall on or before the first day of March one thousand nine hundred forty-eight and annually thereafter file with the collector a return setting forth his name his business and business address and such other information as may be necessary in arriving at the actual gross receipts received by him during the preceding calendar year and the amount of the tax due

(c) Every person subject to the tax imposed by this act who has commenced his business less than one (1) full year prior to the beginning of the tax year one thousand nine hundred forty-eight shall on or before the first day of March one thousand nine hundred forty-eight file with the collector a return setting forth his name his business business address and such other information as may be necessary in arriving at the actual gross receipts received by him during his first month of business and the amount of the tax due

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any tax year shall within forty (40) days from the date of commencing such business and on or before the first day of March of the succeeding tax year file a return with the collector setting forth his name his business and his business address and such information as may be necessary in arriving at the actual gross receipts received by him during his first month of business and the amount of the tax due

(e) Every person subject to the payment of the tax imposed by this act who engages in a business temporary seasonal or itinerant by its nature shall within seven (7) days from the day he completes such business file a return

with the collector setting forth his name his business and business address and such information as may be necessary in arriving at the actual gross receipts received by him during such period and the amount of the tax due

Section 6 Payment at the time of filing the return the person making the same shall pay the amount of tax shown as due thereon to the collector

Section 7 Powers and duties of collector (a) It shall be the duty of the collector to collect and receive the taxes fines and penalties imposed by this act for payment over to the school treasurer where such school treasurer is not the collector as in the case of other school taxes collected it shall also be his duty to keep a record showing the amount received by him from each person paying the tax and the date of such receipt

(b) The collector is hereby charged with the enforcement of the provisions of this act and is hereby empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this act including provision for the re-examination and correction of returns and payments alleged or found to be incorrect or as to which an overpayment is claimed or found to have occurred Any person aggrieved by any decision of the collector shall have the right of appeal to the court of common pleas as in other cases provided

(c) The collector is hereby authorized to examine the books papers and records of any taxpayer or supposed taxpayer in order to verify the accuracy of any return made or if no return was made to ascertain the tax imposed Every such taxpayer or supposed taxpayer is hereby directed and required to give to the collector the means facilities and opportunity for such examinations and investigations as are hereby authorized The collector is hereby authorized to examine any person connected with any business concerning any gross receipts which was or should have been returned for taxation and to this end may compel the production of books papers and records and the attendance of all persons before him whether as parties or witnesses whom he believes to have knowledge of such gross receipts

Section 8 Suit on collection penalty (a) It shall be the duty of the collector to sue for the recovery of all taxes due him not paid when due such suits shall be begun within sixty (60) days after such taxes become due

(b) If for any reason the tax is not paid when due in each year interest at the rate of six percentum (6%) per annum on the amount of said tax and an additional penalty of one per centum (1%) of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected by the collector Where suit is brought for the recovery of any such tax the person shall be liable for and it shall be the duty of the collector to collect in addition to the tax assessed against such person the costs of such collection and the interest and penalties herein imposed

Section 9 Penalties (a) Whoever wilfully makes any false or untrue statement on his return shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two thousand dollars (\$2000) or to undergo imprisonment for not more than two (2) years or both

(b) Whoever wilfully fails or refuses to appear before the collector in person with his books records or accounts for examination when required under the provisions of this act to do so or who wilfully refuses to permit inspection of the books records or accounts of any business in his custody or control when the right to make such inspection by the collector is requested shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than five hundred dollars (\$500) or to undergo imprisonment for not more than six (6) months or both

(c) Whoever wilfully fails or refuses to file a return required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than one (1) year or both

Section 10 Employes compensation upon the recom-

mendation of the collector the Board of Public Education shall appoint and fix the salaries of such assistants and employes as may be necessary to aid such collector in the proper administration of this act

Section 11 Saving Clause (A) Nothing contained in this act shall be construed to empower any school district of the first class to levy and collect the taxes hereby imposed on any person or on any business or any portion of a business not within the taxing power of this Commonwealth under the Constitution of the United States

(b) If the tax or any portion of the tax imposed upon any person or business or upon any portion of a business under the provisions of this act shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the Commonwealth of Pennsylvania the decision of the court shall not affect or impair the right to impose such taxes or the validity of taxes so imposed upon other persons or businesses or portions thereof as herein provided it is the intent of the General Assembly that the taxes so held to be unconstitutional were not to be imposed but that the remainder of said taxes imposed hereunder were to be imposed and collected

Section 12 Repeal all acts or parts of acts inconsistent herewith are hereby repealed

Section 13 Effective Date The provisions of this act shall become effective immediately upon final enactment and shall remain in effect until and including the thirty-first day of December one thousand nine hundred forty-nine

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. FRAZIER. May I say this to the Chair and to the Senate: we think we have a program worked out—we do not know yet—but I say if this bill has to be amended in the House and a program is not worked out, I will not preclude the gentleman from Allegheny County, Senator Geltz, from having an opportunity to further discuss it

Mr. JASPAN. Mr. President, I want to make my position clear with respect to this bill: I do not care very much for it, I think it is a bad piece of legislation. However, in order to help the school teachers of Philadelphia I shall vote "aye".

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Geltz,	Mallery,	Wade,
Blass,	Hare,	Rosenfeld,	Wagner,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Homsher,	Snowden,	Wilson,
Crider,	Jaspan,	Stevenson,	Wolfe,
Crowe,	Kephart,	Stiefel,	Wood, E. H.,
DISlivastro.	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Taylor,	Walker,
Frazier,	Mahany,	Tyler,	Presiding Officer

NAYS—10

Barr,	Klein,	Margie,	Tarr,
Dent,	Lane,	Rahauser,	Woodring,
Holland,	Leader,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, June 11, 1947, at 1:00 o'clock p. m., Eastern Standard Time.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:43 o'clock p. m., Eastern Standard Time, until Wednesday, June 11, 1947, at 1:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 10, 1947

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

Have mercy upon us, O Lord, according to Thy loving kindness and our necessities. Speak to us as in the days of old, as in humility and yet in eagerness we wait for Thy blessing. Send us forth for a day of service that shall bring good to our State and reflect credit upon its chosen servants. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, June 9, 1947.

The Clerk proceeded to read the Journal of Monday, June 9, 1947, when, on motion of Mr. O'CONNOR unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for Concurrence, bills numbered and entitled as follows:

SENATE BILL No. 458

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course.

Referred to the Committee on Education.

SENATE BILL No. 602

A further supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Landis by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

SENATE BILL No. 608

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salaries of the chairman of the Pennsylvania State Board of Censors.

Referred to the Committee on State Government.

SENATE BILL No. 623

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and for the other necessary expenses.

Referred to the Committee on Appropriations.

SENATE BILL No. 734

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

Referred to the Committee on Judiciary.

SENATE BILL No. 753

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstones at the graves of deceased service persons and prescribing penalties.

Referred to the Committee on Counties.

SENATE BILL No. 798

An Act to further amend section two hundred nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of

Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for refund of registration deposits paid by prospective students from advancement fund of the respective fund of the respective State Teachers Colleges.

Referred to the Committee on Education.

SENATE BILL No. 802

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising.

Referred to the Committee on City and County—First Class.

SENATE BILL No. 804

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 820

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 821

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 822

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. IMBT.

RESOLUTION No. 64.

In the House of Representatives, June 9, 1947.

At Kresgeville in Monroe County, the school district

of Polk Township maintains a school, the home economics department of which has been selected by the Department of Public Instruction as one of four outstanding home economics courses in the Commonwealth, on the basis of class room equipment and method, philosophy of curriculum and general interest, to participate as a part of a model home economics class room to be conducted at the Pennsylvania State College, during the coming summer, to be observed and studied by educators interested in home economics; therefore, be it

Resolved, That the House of Representatives hereby commends the Board of School Directors of Polk Township, the officers and staff of the office of the County Superintendent of Schools of Monroe County, and the Principal, Home Economic's Teacher and the participating student body of the Kresgeville School for their initiative and foresight in bringing about this splendid achievement and for their contribution to the development of home economics education in Pennsylvania on a level above the State's present conception of an adequate system; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk to the President of the Board of School Directors of Polk Township, the Superintendent of Schools of Monroe County, the Principal of the Kresgeville School, and the Teacher of Home Economics of the Kresgeville School.

Referred to Committee on Rules.

By Messrs. ERB, BOWER and HELM.

RESOLUTION No. 65

In the House of Representatives, June 2, 1947.

The Pennsylvania State Police force has an outstanding reputation for doing its assigned tasks in a manner approved and respected by the people of this Commonwealth.

Within the organization itself there are serious evidences of poor administration affecting the lower echelon levels. Such indications, if proved true, are certain in time to undermine the morals of the members of the Pennsylvania State Police so that as a result the public good will suffer.

It has been suggested that in many cases living quarters have not been chosen with a view to facilitating the every-day work of this force. Moreover, barracks are often so located as to isolate most of the men from normal community life. Living conditions and sustenance are not everywhere as good as they should be.

Several counties are examples of these conditions. There the Troop Headquarters had been admirably located in relation to the area which had to be policed. The barracks was adequate and attractive and close to the community life. For no apparent reason, a change in location was made which benefitted only the owner of the new spot, everyone else suffered.

These matters affect vitally the daily living of the majority of Pennsylvania State Police—the enlisted men. If conditions exist which can and are impairing the efficiency of these men, notice thereof should be taken and prompt action to remedy the situation should follow.

The situation now existent would indicate that the commissioned officers in direct charge of the administration in certain counties are either indifferent, careless or incompetent in the proper discharge of Pennsylvania State Police affairs.

More can be said and proved but that can best be uncovered by the committee designated to investigate.

Since it will be necessary to interview numerous subordinate members of the Pennsylvania State Police they should be given assurance that so long as facts are furnished they need not fear their superior officers.

The change hoped for is to restore the Pennsylvania State Police to the advantages due this distinguished organization relative to location, to permit subordinate married members to obtain the advantage of subsistence allowances at all Troop Headquarters throughout the

State and which will effect a substantial savings to the Commonwealth. This will increase their standard of living so that undoubtedly the morale and efficiency of the organization will be greatly increased and the great majority benefit thereby, therefore be it

Resolved by the members of the House of Representatives of the Commonwealth that the Speaker of the House hereby authorized and requested to appoint a committee of three (3) members of the House who shall make a full and complete investigation of the conditions complained of

Referred to Committee on Rules.

By Messrs. WEISS and CAPANO. RESOLUTION No. 66

In the House of Representatives, June 9, 1947.

Whereas, the Congress of the United States finally approved the Taft-Hartley labor bill on June 6, 1947, when the Senate of the United States passed same by a vote of 54 to 17, and

Whereas, said bill thrusts hard at the foundation of the forces of labor and restricts much of the power of the unions related thereto, and

Whereas, the three phases of the bill found most objectionable are provisions for the following, namely:

1. Requiring that employees could bargain for the union shop, as an alternative to the outlawed closed shop, under Federal protection only so long as a majority of all affected, and not simply a majority of those voting had decided on that demand.

2. Permitting States to make anti-union-shop laws that would not be struck down by the Federal law.

3. Removing the conciliation service from the Department of Labor and placing it under an independent administrator, and

Whereas, the signing of such bill into law by the President of the United States to veto the said Taft-Hartley labor bill, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to Committee on Rules.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, June 5, 1947.

Whereas, The Gettysburg Address of President Abraham Lincoln is an outstanding classic and will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and

Whereas, In that address Mr. Lincoln adjured his fellow countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth;" therefore, be it

Resolved, (if the House of Representatives concur), That November 19, the anniversary of the delivery of the Gettysburg Address, be, and hereby is, designated in our calendar of special days as Dedication Day, and be it further

Resolved, That the Governor of Pennsylvania is requested to proclaim November 19 as Dedication Day and to suggest that the address be read on that day in schools and public assemblages throughout the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 5, 1947.

Resolved, (if the House of Representatives concurs), That this Regular Session of the General Assembly adjourn sine die Saturday, June 14, 1947, at 6:00 o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to Committee on Rules.

The SPEAKER. The Chair requests the gentleman from Luzerne, Mr. Flack to preside.

Mr. FLACK IN THE CHAIR.

REPORTS FROM COMMITTEES

Mr. DENNISON from the Committee on Mines and Mining, reported as committed, House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected; to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties, and making appropriations.

Mr. BANE from the Committee on Military Affairs, reported as committed, Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals.

Mr. TAHL from the Committee on Judiciary, reported as committed, Senate Bill No. 189, entitled:

An Act to amend section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority.

Mr. SCOTT from the Committee on Military Affairs, reported as committed, Senate Bill No. 533, entitled:

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public position or on public works on certain cases.

Mr. FROST from the Committee on State Government, reported as committed, Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

Mr. JOHN M. REILLY from the Committee on Mines and Mining, reported as amended, Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

Mr. HOOPES from the Committee on State Government, reported as committed, Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of act inconsistent with this act," increasing fees for inspection.

Mr. O'CONNOR from the Committee on State Government, reported as committed, Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates.

Mr. WESCOTT from the Committee on Mines and Mining, reported as committed, Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman.

Mr. GETCHEY from the Committee on Mines and Mining, reported as committed, Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a

certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

Mr. GRAYBILL from the Committee on Mines and Mining, reported as committed, Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons; and providing penalties.

Mr. TOOMEY from the Committee on State Government, reported as committed, Senate Bill No. 720, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

Mr. GORMAN from the Committee on Judiciary, reported as amended, Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries; and by further providing for additional investments for trust funds by fiduciaries.

Mr. MINTESS from the Committee on Judiciary, reported as committed, Senate Bill No. 726, entitled:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof of the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

Mr. LAYER from the Committee on State Government, reported as committed, Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and shall be determined" as amended by further changing the employees of certain departments boards and commissions provisions relating to the maximum compensation of the State Civil Service Commission.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 760, entitled:

An Act to further amend section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven eight hundred two and eight hundred seven and to amend subsection (b) of section three Article II sections three hundred one four hundred one six hundred three six hundred

four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth and repealing an existing law.

Mr. PICKENS from the Committee on Mines and Mining, reported as amended, Senate Bill No. 761, entitled:

An Act to amend section three of Article VIII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members.

Mr. LEE from the Committee on City and County—First Class, reported as committed, Senate Bill No. 802, entitled:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Mr. HAUDENSHIELD from the Committee on State Government, reported as committed, Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Mr. SOLLENBERGER from the Committee on State Government, reported as committed, Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Mr. FISH from the Committee on Military Affairs, reported as committed, House Resolution No. 62.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected; to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties, and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 189, entitled:

An Act to amend section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the 'Servicemen's Readjustment Act of 1944' or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians and trustees of such minors from any liability therefor, unless joining therein," authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 533, entitled:

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public position or on public works on certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one, four, five, and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act, approved the ninth day

of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 720, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 726, entitled:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment of bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and

administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by further changing the provisions relating to the maximum compensation of the State Civil Service Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven five hundred two and eight hundred seven and to amend subsection (b) of section three Article II sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof"

by further regulating and improving the civil service of certain departments and agencies of the Commonwealth and repealing an existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 802, entitled:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Agriculture to meet during the session of the House.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1046

Mr. WALTON. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1046.

The SPEAKER pro tempore. The report will lie over for printing.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Whereas, a park and recreational area has been projected for establishment in the Township of Mead, County of Warren, by the Department of Forests and Waters in cooperation with various sportsmen's organizations to be located generally in the location of what is known as Bucher's Mills, and

Whereas, the interest of Dr. Leroy E. Chapman, Senator from the Forty-eighth District, in the establishment and location of the said park and recreational area has been of great assistance in furthering the plans for the same, and

Whereas, it would be fitting that such a project for the benefit of the public, bear the name which would recognize the service to the community of such a man as Doctor Chapman; therefore be it

Resolved, if the House of Representatives concur, that the park and recreational area to be established at or near Bucher's Mill in Mead Township, Warren County, Pennsylvania, be and the same hereby is officially named "Chapman Park", and shall be so designated on the plans and maps of the Department of Forests and Waters and of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER pro tempore. The resolution lies over under the Rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STOCKHAM asked and obtained permission for the Select Committee on Resolutions of Recognition to meet during the session of the House.

BILL INTRODUCED

Mr. IMBT asked and obtained unanimous consent to introduce a bill.

The bill was filed with the Clerk.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Luzerne Mr. Flack for presiding.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Whereas, The commission generally known as "The School Commission," created by the act of May 26, 1943 (P. L. 635) and continued by the act of May 24, 1945 (P. L. 953), for the purpose of making a study of public school finance, has completed its assigned task and is about to pass out of existence; and

Whereas, In the course of its studies, the commission has gathered a great deal of invaluable data and information, now contained in the commission's files, all of which should be preserved for future use; therefore, be it

Resolved, (If the House of Representatives concurs), That upon winding up its affairs The School Commission deliver all of its files containing all data, reports, material and information collected and compiled by it, to the Joint State Government Commission, to be by it preserved for use by it and such other agencies as may have occasion to study the financing of the public school system.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution lies over under the Rules.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 874.

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school districts employing substitutes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 10 by striking out the words "forty-eight" and inserting in lieu thereof the word "forty-nine"; amend Section 1, page 4, line 11 by striking out the words "forty-eight" and inserting in lieu thereof the words "forty-nine"; amend Section 1, page 4, line 14, by striking out the words "forty-eight" and inserting in lieu thereof the words "forty-nine."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID P. REESE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Dax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Minas,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,

Bower,	Gyger,	Moore, J. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Pajaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervanak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Inbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese D P.,	Weiss,
Dye,	Laughner,	Reese R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0.

NOT VOTING—2.

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1021.

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for relisting for certain licenses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 4 by striking out after the second word "for" the words "relisting for"; line 5, by

inserting after the word "for" the words "relisting for." Amend section 1, page 3, line 11, by inserting after the word "each" the words "relisting for"; line 12, by striking out after the word "for" the words "relisting for"; line 13 by inserting after the word "solicitor" the words "who has failed to appeal or to pass on a previous listing"; page 4, line 1, by striking out after the word "domestic" the word "and" and inserting in lieu thereof the word "or."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WAGNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Deputy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foot,	Mazza,	Sarraff,	

NAYS—0.

NOT VOTING—2.

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1249.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 2 by inserting after the word "university" the following: "and the further provide for the maintenance and equipment of the institute for research into the cause or causes of cancer and its diagnosis prevention and treatment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LEE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Deputy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarraff,	Speaker

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1278.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 1, line 2, by inserting after the word "education" the words "and research."

Amend section 1, page 2, line 1, by inserting after the word "education" the words "and to provide for the maintenance and support of a research institute of preventive and industrial medicine."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE BILL No. 1278 AND MESSAGE LAID ON TABLE

Mr. COSTA. Mr. Speaker, I move that the bill, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 633.

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" excluding certain officers and employees of cemetery companies engaged in selling cemetery plots from the provisions of the act.

SENATE BILL No. 633 AND MESSAGE LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that the bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 873.

An Act to repeal the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 784) entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition in lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions providing for full state subsidies when employing teachers holding special wartime certificates authorizing boards of school directors (or boards of public education) subject to the approval of the district or county superintendent to put such provisions into operation"

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 964.

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twentyone (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 234

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its

provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

SENATE BILL No. 393

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies

SENATE BILL No. 394

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof and changing certain capital and surplus requirements

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 3

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

HOUSE BILL No. 309

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridges; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

HOUSE BILL No. 643

An Act to amend sections four hundred two four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers and changing penalties

HOUSE BILL No. 891

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections.

HOUSE BILL No. 1159

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace of the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of titles

HOUSE BILL No. 1188

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

HOUSE BILL No. 1261

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

HOUSE BILL No. 1283

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall auto-

matically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

HOUSE BILL No. 1332

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

HOUSE BILL No. 1190

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 9, 149, 193, 378, 432, 673, 770, 666, 774, 779, 781, 782, 823, 828, 831, 833 and 836.

REPORT FROM COMMITTEE

Mr. GOODLING from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work.

BILL ON FIRST READING

The following bill was read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 116, entitled:

An Act to further amend Article III of the act approved the ninth day of April one thousand nine hundred twenty-

nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provisions thereof

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Sec. 1 (Sec. 305) page 4, line 4, by inserting after the word "ahev" "either two (2) or."

Amend Sec. 1 (Sec. 305) page 4, line 4, by inserting after the word "members" "one (1) or."

Amend Sec. 1 (Sec. 305) page 4, line 5, by inserting after the word "whom" "as the case may be."

Amend Sec. 1 (Sec. 305) page 4, line 6, by inserting after the word "and" "one (1) or."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 505, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 556, entitled:

An Act to further amend the second paragraph of section one thousand four hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" empowering the State

Council of Education to prescribe and adopt rules regulations standards and qualifications governing the transportation of pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 693, entitled:

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" authorizing the Water and Power Resources Board to sell waters from canals and to lease sell and convey real personal or mixed property acquired by it.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 981, entitled:

An Act to amend subsection A of section six hundred eighty-five of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining and enlarging the powers of title insurance companies which do not have any right or power to accept or receive deposits or otherwise engage in a banking business or to act as trustee guardian executor administrator or in any similar fiduciary capacity.

The first section was read.

On the question, •

Will the House agree to the section?

BILL RECOMMITTED

Mr. LEE. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1340) entitled "Relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring

owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties."

Mr. DeLONG offered the following amendments to the bill:

Amend the bill page 2, by inserting after the title and before line 1, the following:

Section 1 Section two of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties," is hereby amended to read as follows:

Section 2, Secretary to Administer Act; Appeal to Court.—

(a) The secretary shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration.

(b) The cost of enforcing and the expenses of administering this act shall be met in the following manner: The secretary annually as soon as possible after the first day of June in each year shall ascertain the total amount of costs and expenses incurred by the Department of Revenue in enforcing and administering this act during the preceding fiscal year. Such costs and expenses in addition to the direct costs of personal service shall include the cost of maintenance and operation, the cost of retirement contributions made and workman's compensation premiums paid by the State for or on account of personal rentals for space occupied in State owned or State leased buildings and all other direct and indirect costs, expenses and charges. There shall be deducted from such total expenses the amount by which the premium taxes paid by all insurance carriers on automobile bodily injury and property damage liability insurance for the calendar year ending December thirty-first immediately preceding the end of the fiscal year for which the assessment is made exceeds such premium taxes for the calendar year 1946. An itemized statement of the costs and expenses so ascertained shall be open to public inspection in the office of the Director of the Bureau of Highway Safety for thirty days after notice to those liable to be assessed for such costs and expenses after which time the Secretary shall make assessment upon them as herein provided. The Secretary shall thereupon assess the total amount of such costs and expenses as so ascertained after making the deduction herein provided pro rata upon all insurance carriers in proportion to the gross direct premiums less return premiums thereon written by them during the calendar year ending the thirty-first day of December immediately preceding the fiscal year for which the assessment is made for policies or contracts of automobile bodily insurance covering risks resident or located in this State. The secretary shall levy and collect such assessments in the same manner as provided for the collection of taxes and pay the same into the State Treasury to be credited to the fund from which monies have been advanced for the enforcement and administration of this act.

(c) Any person aggrieved by an order or act of the secretary under the provisions of sections four to eleven of this act, may within ten days after notice thereof, file a petition in the court of common pleas of Dauphin County for a trial de novo to determine whether such order or act is lawful and reasonable. The filing of such petition shall not suspend the order or act of the secretary, unless

a stay thereof shall be allowed by a judge of said court pending final determination of the matter. The court shall summarily hear the petition and may make any appropriate order or decree.

Amend page 2, by striking out lines 1 to 16 inclusive.

Amend page 3, by striking out lines 1 to 7, inclusive.

Amend page 3, line 7, by adding thereto a new paragraph as follows:

Section 2. This act shall become effective on the date upon which the act to which this is an amendment becomes effective, either under its present terms or by subsequent amendment thereto.

They were agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. DeLONG offered the following amendments:

Amend the title, page 1, line 1, by striking out at the beginning of the line after the word "To" and before the word "approved" the following: "[further amend Act No. 433]" and inserting in lieu thereof the following: "amend section two of the act."

Amend the title, page 1, line 2, by inserting after the word "forty-five" and before the word "entitled" the following: "(Pamphlet Laws, one thousand three hundred forty)".

Amend the title, page 1, line 2, by striking out after the word "entitled" the following: "[Relating to the finan-]" and inserting in lieu thereof the following: "An act relating to the finan-".

Amend the title, page 2, line 2, by adding at the end of the line after the word "penalties" the following: "to place the expenses for the enforcement and administration of this act upon insurance carriers writing policies of automobile bodily insurance covering local risks."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1114, entitled:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the issuance of watcher's certificates and the compensation of watchers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1120, entitled:

An Act to amend section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in bor-

oughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" making special provisions for manner of registration in boroughs towns and townships of less than a certain population in certain counties

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROGOT offered the following amendments:

Amend Sec. 1 (Sec. 18) page 4, line 7, by inserting after the word "registrar" The registration card properly filled out shall be filed by such justices of the peace with the registration commission not later than fifty (50) days prior to any general election held in even-numbered years or thirty-five (35) days prior to any municipal election held in odd-numbered years.

Amend Sec. 1 (Sec. 18) page 4, lines 13 and 14, by striking out the words "certify to the county chairman of each party in the said counties" and inserting in lieu thereof "include in the street lists"

Amend Sec. 1 (Sec. 18) page 4, line 16, by inserting at the end thereof It shall be unlawful for any justice of the peace to take any registration or other affidavit required by this act in any place other than his office or place of business. The powers herein conferred upon justices of the peace shall not be delegable. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding fifty dollars (\$50) or undergo imprisonment not exceeding thirty (30) days, or both.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. RAGOT offered the following amendment:

Amend title, page 2, last line of title on said page, by inserting after the word "counties" "and providing penalties"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1200, entitled:

An Act to provide for the establishment of a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively authorizing the survey of broadcasting sites and the purchase of necessary sites and equipment providing for the construction of a master station and subsidiary stations as needed for state-

wide coverage creating within the Department of Public Instruction a Division of Radio and Audio-Visual Education establishing within such division a lending library of recordings scripts films and slides conferring powers and imposing duties upon the Superintendent and Department of Public Instruction and appropriating funds for such developments

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendments:

Amend Sec. 1, page 4, lines 1 to 6, both inclusive, by striking out the words "For the purpose of establishing a coordinated state—" in line 1, and all of lines 2 to 6 inclusive.

Amend Sec. 1, page 4, line 7, by inserting after the word "Superintendent" the following "of Public Instruction."

Amend Sec. 1, page 4, line 7, by striking out the word "further"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendment:

Amend Sec. 2, page 4, lines 17 and 18, by striking out the words "authorized and for the purpose of operating the same when so established" and inserting in lieu thereof "contemplated."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendment:

Amend Sec. 3, page 6, lines 2 to 4, both inclusive, by striking out the words "hereby authorized" in line 2, and all of lines 3 and 4, and inserting in lieu thereof "contemplated."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendment:

Amend Sec. 4, page 6, lines 5 to 10 both inclusive, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendments:

Amend Sec. 5, page 6, line 11, by striking out the figure "5" and inserting in lieu thereof "4".

Amend Sec. 5, page 6, lines 11, 12, 13 and 14, by striking out the words "seven hundred seventy-five thousand dollars" in line 11, all of lines 12 and 13, and the words "the purposes of this act Of such sum" in line 14.

Amend Sec. 5, page 6, lines 18 and 19, by striking out the words "and the balance of the ap-" in line 18, and all of line 19.

Amend Sec. 5, page 7, lines 1 to 4, both inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendment:

Amend Sec. 6, page 7, line 5, by striking out the figure "6" and inserting in lieu thereof.

It was agreed to.

The section was agreed to as amended.

The preamble was read.

On the question,

Will the House agree to the preamble?

Mr. WEISS offered the following amendment:

Amend preamble, page 3, next to last line of Preamble, by striking out the words "necessary to construct" and inserting in lieu thereof "in support of."

It was agreed to.

The preamble was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. WEISS offered the following amendments:

Amend Title, page 1, line 1 of title, by striking out the words "the establishment of" and inserting in lieu thereof "preparation for."

Amend Title, page 1, lines 4 and 5 of title, by striking out the words "and the purchase of necessary sites and equipment providing."

Amend Title, page 1, line 6 of title, by inserting after the word "as" "may be."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1219, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" by further defining the powers and duties of the commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1346, entitled:

An Act relating to the annual salaries of certain county officers of counties of the second class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fifth class

The first section was read.

On the question,

Will the House agree to the section?

Mr. VAUGHAN offered the following amendment:

Amend Sec. 1, page 2, by inserting between lines 11 and 12 the following: "The county treasurer five thousand five hundred dollars (\$5,500.00)."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act relating to the annual salaries of certain county officers of counties of the sixth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1351, entitled:

An Act relating to the annual salaries of certain county officers of counties of the eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1352, entitled:

An Act relating to annual salaries of certain county officers of counties of the seventh class

The first section was read.

On the question,

Will the House agree to the section?

Mr. COLE. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Monroe, Mr. Imbt.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. IMBT. I shall Mr. Speaker.

Mr. COLE. Mr. Speaker, I would like to know from the sponsor of this bill on line 5, page 2, "The annual salary of each county commissioner shall be one thousand one hundred dollars," that is in the seventh class counties. I am from a seventh class county and to-day my county commissioners are getting eighteen hundred dollars a year. Why the cut of seven hundred dollars?

Mr. IMBT. Mr. Speaker, I think that can be explained by the fact that it is my understanding that the county commissioners' pay is based on two separate elements, two separate bases. At the present time in my county the county commissioners will get one thousand dollars a year for acting as county commissioners, plus eight hundred dollars for institutional relief work, as I understand it is termed. This in no way affects the institutional relief work. The county commissioners' salary under the provisions of this bill would be a total of one thousand nine hundred dollars.

Mr. COLE. Mr. Speaker, another question, there would not be any increase then on the institutional work of eight hundred dollars?

Mr. IMBT. That is right, Mr. Speaker.

Mr. COLE. I thank the gentleman.

Mr. Speaker, I do not believe that the one hundred dollar raise is enough for county commissioners and I would like to tell the members why. At the present time at the salary of one thousand one hundred dollars a year and the eight hundred dollars a year that they get for taking care of the institutional districts, the only man that can run for that office is a man that has a big pile of money or who has a good business back home and bringing in a lot of money of the side. I do not think it is fair to men that have the ability to take this kind of a job over, who cannot afford to do so because of the low salary that is paid. I still hope and I believe there is still time to put amendments in the bill. I don't suppose they will pass if we put them in anyway.

Mr. DIX. Mr. Speaker, in regard to the salaries for county commissioners, when we consider the salaries

that the State Representatives receive it seems to me that the salaries that the county commissioners get, eighteen hundred dollars a year, is a very munificent salary. These county commissioners, I know in my country, and I have nothing against them, meet once a week and they spend about three or four hours in the court house. This is all the work they do as far as the court house work is concerned. All the rest of the work is done by the clerical force. It seems to me that the eighteen hundred dollars taken in comparison with the fifteen hundred dollars the state Representatives receive, is a pretty good reward, and I can see no reason why they should receive this greater increase than any other state employe at this time.

Mr. COLE. Mr. Speaker, I would like to ask the gentleman from Wayne, Mr. Dix, whether he voted for the increase in salary of the Philadelphia city council.

The SPEAKER. Does the Chair understand that the gentleman desires to interrogate the gentleman from Wayne?

Mr. COLE. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman from Wayne permit himself to be interrogated?

Mr. DIX. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, I would like to ask the gentleman, whether he voted for the salary raise for the city council of Philadelphia.

Mr. DIX. How much of a raise was that, Mr. Speaker?

Mr. COLE. Mr. Speaker, fifty-five hundred dollars a year.

Mr. DIX. Mr. Speaker, I don't have that. The Members here have been introducing bills raising salaries for the last six months or trying to do so, and I will have to confess that I cannot recall exactly what salary raises I voted for, but if I did vote for that salary raiser I hereby retract it. I would like to have that as a matter of record that I quit supporting such salary raisers.

Mr. COLE. Mr. Speaker, is the gentleman sorry that he voted for the one hundred dollar a month expense account for the Members of the Legislature?

Mr. DIX. Mr. Speaker I voted for that measure but I understand that that amount of money is going to be decreased. The members very often vote for bills where they know they are not going to get what they ask for.

Mr. COLE. Mr. Speaker, I still insist that eleven hundred dollars a year is not sufficient money for the office of county commissioner.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the

Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 169, entitled:

An Act authorizing the arbitration of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 170, entitled:

An Act authorizing the comprise of inheritance taxes when there are conflicting claims as to the domicile of the decedent and making uniform the law relating thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 240, Printer's No. 64

Senate Bill No. 373, Printer's No. 71 and

Senate Bill No. 491, Printer's No. 231

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 593, entitled:

An act to amend sections three hundred two and seven hundred one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subject, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 667, Printer's No. 377 and

Senate Bill No. 709, Printer's No. 476

were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 807, entitled:

An Act to amend Section 7 of the act approved the 16th day of May A D 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation instituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and re-orientation of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding sub-section (d)

thereto providing for salaries for appointed members of the Commission.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House this afternoon a former member, the gentleman from Schuylkill Mr. Edgar A. Schroepe.

RESOLUTION

RECALLING HOUSE BILL No. 478 FROM GOVERNOR

Mr. REAGAN offered a resolution and asked and obtained unanimous consent for its immediate consideration. The resolution was read, considered and adopted as follows:

In the House of Representatives, June 10, 1947.
Resolved (if the Senate concur), that House Bill No. 478, Printer's No. 571, entitled "An act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818)

entitled 'An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employees and on city councils of cities of the first and second class and providing penalties' authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court," be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 898, as follows:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 774) is hereby further amended to read as follows

Section 532 The board of school directors of each school district of the class shall annually at or before the time of levying the annual school taxes prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year Such annual estimate shall be apportioned to the several classes of expenditures of the districts as the board of school directors thereof may determine The total amount of such estimate shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in the district

The board of school directors shall at least fifteen days prior to the time final action is taken on any budget publish by advertisement at least once in two newspapers of general circulation printed in the municipality in which such school district is located notice that such proposed budget has been prepared and is open to public

inspection at the office of the board of school directors and such advertisement shall include a notice of public hearing on the proposed budget scheduled for at least ten days before final action is taken upon any budget

The board of public education in school districts of the first class may during any fiscal year make additional appropriations or increase the existing appropriations to meet emergencies such as epidemics floods fire or other catastrophies and to increase the salaries of the employees of the board the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such additional appropriations and such temporary loans shall be authorized by the affirmative vote of two-thirds of all the members of the board

The board of public education shall have the power to transfer any unencumbered balance or any portion thereof from one appropriation to another or from one spending agency to another by the affirmative vote of two-thirds of all the members of the board

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordler,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Ehrenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrat,	Speaker.

NAYS—0

NOT VOTING—2

McCormack,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1035, as follows:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interester and to proceed to make collections thereon in accordance with the provisions of this section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said subdivisions and prescribing penalties" is hereby amended to read as follows

Section 40 Collection of Taxes by Sureties of Defaulting or Deceased Collectors (a) When any tax collector shall default in the payment of the taxes charged on the duplicates either by embezzlement negligence or failure to collect such taxes within the time prescribed by this act it shall be lawful for the surety or sureties on his bond to demand from the tax collector the tax duplicates in which said sureties are interested and the tax collector shall turn over to his said sureties such duplicates of the various taxing districts for which he is collector

(b) If the tax collector shall fail neglect or refuse to turn over such duplicates upon demand made by his surety or sureties it shall be lawful for the surety or sureties to present a petition to the court of common pleas of the county in which such tax collector resides setting forth the fact that such collector has defaulted in making collections The court being satisfied that such default has been made shall make an order to compel the tax collector to turn over his sureties the tax duplicates upon which the sureties are liable

(b-1) When any tax collector shall have died and no executor or administrator within fifteen (15) days thereafter has been appointed to administer his estate the surety or sureties on his bond shall have the right and power after petitioning the court of common pleas of the county in which such deceased tax collector resided and after the said court has entered an order granting the prayer of the said petition to take over the tax duplicates in which said sureties are interested and to proceed to collect the taxes remaining unpaid such duplicates in accordance with the provisions of this section until such time as executor or administrator of the estate of the deceased tax collector shall be appointed at which time the said surety or sureties shall file an accounting of such collections in the court where the said order was entered and shall pay such undistributed fund to said executor or administrator

(c) The holders of such duplicates shall have the right to appoint a collector for such period of time as herein provided to collect the taxes remaining unpaid upon such duplicates any collector so appointed shall have all the

authority and power under the warrant issued to the original collector vested by this act The authorities issuing said warrants may issue an additional warrant to the collector of such delinquent taxes upon request of such sureties

(d) The provisions of any law extending the time or any warrant for the collection of taxes on duplicates shall likewise extend to the collection of taxes on such delinquent tax duplicates

(e) Whenever the surety or sureties on the bond of any defaulting or deceased tax collector shall under the provisions of this section undertake to collect delinquent taxes charged in any duplicate delivered to such defaulting or deceased tax collector by distress and sale of the goods and chattels of the delinquent or shall distress on the goods and chattels of any person who shall allege that the taxes with which he stands charged have actually been paid or that such person whose goods and chattels have been distrained upon shall deny liability for such taxes then in either event the taxpayer may petition the court of quarter sessions of the county for a stay of any such sale of goods and chattels distrained upon setting forth the reasons therefor

The court shall have to stay such sale pending a hearing of the matter The court shall have power to fix a day for hearing of which due notice shall be given the surety or sureties of such defaulting or deceased tax collector as the court may prescribe

(f) If the court after hearing shall be of the opinion that a taxpayer has actually paid such taxes or is not liable for the taxes with which he stands charged on the duplicate it shall direct satisfaction to be entered on such duplicate by the surety or sureties

(g) The surety or sureties on the bond of any such defaulting or deceased tax collector or any taxpayer shall have the right upon demand made to have a jury pass upon the question whether or not a taxpayer has paid taxes with which he stands charged and if the jury shall find such taxes have been so paid the court shall direct the surety or sureties to enter satisfaction on the duplicate

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Silmons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Buechin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swopa,
Capano,	Hocker,	Needham,	Tabi,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davis,	Kirley,	Price,	Walton,

De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1173, as follows:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two three and five of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" are hereby amended to read as follows

An Act authorizing and regulating the growth sale and distribution of forest tree seedlings [and] transplants shrubs and vines by the Department of Forest and Waters regulating the use of such forest tree seedlings [and] transplants shrubs and vines and imposing duties upon the Department of Agriculture with regard to the enforcement of this act

Section 1 Be it enacted &c That the Department of Forests and Waters is hereby authorized to grow forest tree seedlings [and] transplants shrubs and vines and to sell the same at a sum not to exceed the average cost of production and shipping to persons partnerships and corporations desiring to plant them The moneys collected by the Department from the sale and shipping of trees shrubs and vines under this act shall be paid into the State Treasury [for the use of the Commonwealth]

Section 2 Before the department shall sell any trees or shrubs or vines to any person partnership or corporation it shall require such person partnership or corporation to enter into an agreement or contract with the department in which such person partnership or corporation shall agree (a) That all forest tree seedlings and transplants so purchased shall be planted in Pennsylvania for watershed protection or for wood products

or that all shrubs or vines so purchased shall be planted in Pennsylvania for soil erosion control reclamation of areas affected by open pit mining and for wildlife food and cover (b) That the trees shrubs or vines with roots attached will not be sold by the purchaser for removal from the land [until they become large enough for use as wood products] (c) That a report on the planting will be furnished by the planter when requested by the department (d) That the planted area will be protected as far as possible from fire grazing and trespassing (e) That if such trees shrubs or vines are sold or offered for sale for ornamental purposes the person partnership or corporation shall become liable to the Commonwealth for the payment of a penalty equal to three times the sale value of the trees shrubs or vines sold and (f) Such other conditions and stipulations as the Department of Forests and Waters may require

Section 3 No trees shrubs or vines shall be sold by the Department under the provisions of this act that are to be planted for [windbreaks] hedges table trees potted trees or for shade or ornamental use

Section 5 It shall be unlawful for the Department of Agriculture to grant a permit certificate of inspection under section six [paragraph b of the act approved the tenth day of March one thousand nine hundred and twenty-seven entitled "An act relating to the protection of agriculture and horticulture from plant pests and amending revising consolidating and changing the law relating thereto defining the powers and duties of the Department of Agriculture relating thereto providing penalties and repealing present laws"] of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937" and its amendments to landowners who are about to sell or remove unlawfully trees originally supplied from the State nurseries for future timber or shrubs and vines originally supplied for soil erosion control reclamation of areas affected by open pit mining or for wildlife food and cover

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Criffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,

Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flash,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. DAVID P. REESE offered a resolution which was filed with the Clerk under the Rules.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House No. 321, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,

Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	T omassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Proper,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, J. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flash,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 653, as follows:

An Act relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on such question and regulating hours of service hours of rest and annual vacations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be submitted to the qualified voters in each city of the second class at the municipal election in the year one thousand nine hundred and forty-seven the question "shall a three-platoon system for the bureau of fire department of public safety be adopted in this city" the county board of elections in and for each county in which there shall be located a city of the second class shall prepare the necessary ballots voting machines and other matters so that said question shall be submitted to the qualified voters in said cities at said municipal election and so that such vote thereon shall be properly had and conducted all in the manner provided by the election laws of this Commonwealth

Section 2 In districts where ballot boxes are used said question shall be printed on a separate ballot prepared in the manner provided by law for the preparation of official ballots and one such ballot containing said question shall be furnished to each qualified elector by the proper elec-

tion officer in election districts where voting machines are used said question shall appear on the face of the voting machine in the manner provided by law the votes upon said question shall be counted by the election officers in each district and by said election officers returned to the county board of elections which board shall compute and canvass said returns and shall forthwith certify the result thereof to the mayor of the respective city of the second class

Section 3 If a majority of the qualified voters of such city voting on such question at such election shall vote in the affirmative then the proper officers of each city of the second class having the direction control and management of the bureau of fire in such city or being responsible for making provision therefor shall begin at once to divide and to provide for dividing members excepting the chief engineer and his deputy chiefs by whatever designation they may be known of the bureau of fire into three platoons and such division shall be fully completed and the provisions of this section shall be fully effectuated not later than the first day of June one thousand nine hundred forty-eight

Section 4 No such member of any of such bureau of fire shall be required to work more than eight hours in any twenty-four consecutive hours except in cases of extraordinary fire emergencies riots or similar emergencies affecting the public interest and the necessary time and no more consumed in changing work shifts Such work shifts shall bechanged at least once each calendar week and no such member of any such bureau shall be compelled to work the same work shift more than once in any three consecutive weeks All such members of such bureaus of fire shall be entitled to one full day of rest in each calendar week and to have an annual vacation of not less than fourteen days both without diminution of salary or compensation fixed by ordinance or resolution of such city

Section 5 From and after the effective date of this act the salaries or compensation of such members except the chief engineer and his deputy chiefs by whatever designation they may be known of said bureau of fire shall never be fixed by ordinance or resolution of said city or otherwise at a rate less than the rate of such salaries or compensation which shall be in effect on the effective date of this act

Section 6 The act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 750) entitled "An act relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on such question and regulating hours of service hours of rest and annual vacations" is hereby repealed

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Boies,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,

Brice,	Haller,	Morrison,	Stimmel,
Bucchin,	Haudenschild,	Murray,	Stockham,
Brown,	Helm,	Myers,	Stonier,
Brunner,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Relly, J. M.,	Wescott,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and collectors of delinquent taxes and repealing certain acts relating to matters herein provided for" is hereby amended to read as follows

Section 2 The councils of said cities of the second class shall be and they are hereby authorized empowered and

directed to fix the amounts of money which will be required to defray all the various expenses necessary for conducting the various departments and also to fix the amounts of money necessary for the payment of the interest and principal upon the indebtedness of said cities and the separate indebtedness of any portion or division thereof and for all other municipal purposes and said councils are hereby authorized empowered and directed annually to cause a tax sufficient for all of said purposes to be levied and collected out of the estate real and personal subject to taxation within said cities Provided however That taxes shall not be levied by any such city in any one year upon land at a rate to exceed twenty-eight (28) mills nor upon buildings at a rate to exceed fourteen (14) mills

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I am not just sure what his bill does. It may increase the taxes on real estate. I would like the gentleman from Allegheny, the sponsor of the bill, to explain the bill.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. LAUGHNER. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman explain just what this bill does in regard to taxation on real state?

Mr. LAUGHNER. Mr. Speaker, in the first place the bill freezes the millage at the present level just in the city of Pittsburgh.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Aranson,	Goodling,	Madigan,	Rose,
Baumunk,	Gorman,	Mazza,	Rowen,
Beach,	Graybill,	McCosker,	Royer,
Bender,	Greenwood,	McCullough,	Sax,
Bentzel,	Greer,	McDonald,	Scott,
Bloom,	Griffiths,	McKinney,	Serrill,
Bonawitz,	Guthrie,	McMillen,	Shoemaker,
Bourse,	Gyger,	Milhm,	Simons,
Bower,	Hall,	Mikula,	Smith, C. C.,
Brelsch,	Haller,	Miller,	Smith, C. M.,
Brice,	Haudenschild,	Miness,	Sollenberger,
Brunner,	Helm,	Mohr,	Sorg,
Budwalader,	Henry,	Mooney,	Sproul,
Bussidy,	Hewitt,	Moore, C. E.,	Stimmel,
Bevenger,	Hocker,	Moore, H. A.,	Stockham,
Bok,	Hoffman,	Morrison,	Stonier,
Boper,	Hoopes,	Murray,	Stuart,
Bordier,	Horan,	Myers,	Tahl,
Bosta,	Imbt,	Najaka,	Thomassy,
Bowley,	Jennings,	Naumann,	Thompson,
Bague,	Johnson,	Needham,	Tittle,
Bairymple,	Johnston,	Neff,	Tompkins,
Bavison,	Jones,	Nelson,	Toomey,
B Long,	Jump,	O'Dare,	Turner,
Bmech,	Kean,	O'Donnell,	Upshur,
Bnison,	Kelley,	O'Neill,	Vaughan,
Bpuy,	Kemp,	Orban,	Wachhaus,
Bx,	Kent,	Patten,	Wagner,
Bz,	Kline,	Petrosky,	Waldron,
Benberg,	Kohl,	Pichney,	Wallin,
Bder,	Kratz,	Pickens,	Watson,
Bb,	Krise,	Polaski,	Waterhouse,
Bing,	Kurtz,	Price,	Watkins,
Bols,	Laughner,	Propert,	Watson,
Bsh,	Layer,	Ragot,	Weidner,

Fisa,
Flack,
Foer,
Frost,
Gallagher,
Getchey,
Gibson,
Goff,

Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,

Reagan,
Reese, D. P.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,

Wescott,
West,
Wolf,
Wood,
Worley,
Yeakel,
Young,
Lichtenwalter,
Speaker.

NAYS—28

Andrews,
Bane,
Barrett,
Boies,
Brown,
Bucchin,
Capano,

Chervenak,
Chudoff,
Cochran,
Cole,
Fleming,
Mills,
O'Connor,

Powers,
Readinger,
Reese, R. E.,
Sarraf,
Scanlon,
Schuster,
Snider,

Stank,
Swope,
Verona,
Weiss,
Wheeler,
Yester,
Yetzer,

NOT VOTING—4

Evans,

Kirley,

McCormack,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. ERB. Mr. Speaker, I move that the vote by which House Bill No. 975, Printer's No. 763, entitled:

"An act to amend clauses (c) and (g) of section three hundred one of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled 'An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties,' further regulating compensation for occupational disease and liability therefor,"

was defeated on final passage on June 3, 1947, be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair Mr. Erb vote on the final passage of this bill?

Mr. ERB. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair Mr. Miller vote on the final passage of this bill?

Mr. MILLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I confess that I am somewhat surprised at this move. It would be a pity if this House were to recant and repent because of one of its entirely righteous acts.

I cannot imagine of anything that has occurred to change the considered judgment of this House except the very persistent, insistent, and I hope not compelling lobbying of Mason Owlett and his particular cohorts who fortunately infest the other chamber more than they infest here.

However, when there are measures that affect the concerns, business concerns of a distinguished gentleman, I find that there is a possibility that even this House will jump through the hoop, although I hope this House will defeat this motion to reconsider a bill which was debated at length, and which was defeated as the result of the measured judgment of the Members of this Assembly. I would ask for a roll call on the motion to reconsider.

The yeas and nays were required by Mr. Andrews and Mr. Petrosky and were as follows:

A verification of the roll was requested by Messrs. Andrews, Weiss and Lovett.

The roll was verified and was as follows:

YEAS—96.

Aaronson,	Frost,	Livingston,	Serrill,
Beech,	Gallagher,	Madden,	Smith, C. C.
Bonawitz,	Gibson,	Madigan,	Sollenberger,
Boorse,	Gooding,	McJacker,	Sorg,
Bower,	Gorman,	McKinney,	Sprout,
Brice,	Graybill,	Miller,	Stimmel,
Brunner,	Crittch,	Mohr,	Stockham,
Cleverger,	Ogier,	Moore, C. E.,	Stonier,
Cook,	Haudenschild,	Murray,	Tittle,
Cordier,	Hocker,	Neff,	Tompkins,
Costa,	Hoffman,	Nelson,	Toomey,
Crowley,	Hoopes,	O'Dare,	Turner,
Darison,	Imbt,	O'Donnell,	Vaughan,
De Long,	Jennings,	O'Neill,	Wagner,
Dennison,	Johnson,	Orban,	Walton,
Depuy,	Kean,	Patten,	Waterhouse,
Dix,	Kelley,	Pickens,	Watson,
Dye,	Kent,	Propert,	West,
Elder,	Kline,	Reagan,	Wolf,
Erb,	Kratz,	Reese, D. P.,	Wood,
Ewing,	Kurtz,	Relly, J. M.,	Worley,
Fiss,	Layer,	Riley,	Yeakel,
Flack,	Lee,	Robertson,	Young,
For,	Lelsey,	Royer,	Lichtenwalter,
		Sax,	Speaker.

NAYS—73.

Andrews,	Fleming,	Mills,	Rowen,
Bane,	Getchey,	Mintess,	Sarra,
Barrett,	Goff,	Mooney,	Scanlon,
Bentzel,	Haller,	Myers,	Scott,
Bloom,	Johnston,	Najaka,	Shoemaker,
Boles,	Jones,	Needham,	Smith, C. M.,
Brelsich,	Jump,	O'Connor,	Snider,
Brown,	Kemp,	Petrosky,	Stank,
Bucchin,	Kirley,	Polaski,	Stuart,
Capano,	Kohl,	Powers,	Swope,
Chervenak,	Krise,	Price,	Thomassy,
Chudoff,	Laughner,	Ragot,	Thompson,
Cochran,	Livingstone,	Readinger,	Upshur,
Cole,	Lovett,	Reese, R. E.,	Wachhaus,
Dalrymple,	Lyons,	Relly, W. J.,	Watkins,
Demech,	Mazza,	Richter,	Weber,
Efenberg,	McDonald,	Robbins,	Yester,
Evans,	Mikula,	Root,	Yetzer,
Fish,			

NOT VOTING—35.

Baumunk,	Guthrie,	McMillen,	Tahl,
Bender,	Hall,	Mihm,	Trout,
Cadwalader,	Helm,	Moore, H. A.,	Verona,
Cassidy,	Henry,	Morrison,	Waldron,
Cooper,	Hewitt,	Naumann,	Wallin,
Dague,	Horan,	Pichney,	Weidner,
Feola,	Loftus,	Rose,	Wescott,
Greenwood,	McCormack,	Schuster,	Wheeler,
Greer,	McCullough,	Simons,	

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. ERB. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

By Messrs. BANE and IMBT. HOUSE BILL No. 1354

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing, and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers, providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting motor vehicles of war amputees obtained through the Veterans' Administration from the payment of registration fees.

Referred to the Committee on Motor Vehicles.

BILLS ON THIRD READING

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 962, as follows:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" increasing the membership of the banking board and the number of appointments to that board by the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of an conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 337) is hereby further amended to read as follows

Section 501 Orders by Department

C

[Each board] The Banking Board shall consist of eleven members and the Building and Loan Board shall consist of nine members [one of which] One member of each board shall be the Secretary of Banking who shall act as chairman Two of the members of [each board] the Building and Loan Board shall be appointed by the Governor to serve [in the case of the Banking Board for two years from September first one thousand nine hundred and thirty-five and in the case of the Building and Loan Board] for two years from September first one thousand nine hundred and thirty-seven and four members of the Banking Board shall be appointed by the Governor the two additional members provided for by this amendment to serve for a period of two years from the first day of September one thousand nine hundred forty-seven and may be removed from office at his pleasure the remaining six members of each board shall be appointed by the Governor from lists of nominations submitted to him as herein provided but any such member shall not be removed from office unless he shall have been absent from six consecutive meetings of such board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, O. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Spro
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,

Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Casidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	Wes,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Trout,

McCormack,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1023, Printer's No. 820, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1193, as follows:

An Act authorizing public utility corporations engaged in transmitting electricity or transporting steam water gas oil or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such city

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any public utility company engaged in transmitting electricity or transporting natural or artificial gas steam water crude oil gasoline or petroleum products by pipe or conduit for the public for compensation shall have the privilege to take rights of way across any publicly owned property located within the corporate limits of any City of the First Class upon the consent of the City of the First Class to said right of way first had and obtained which consent the said city by the majority vote of the members of its council is hereby empowered to give upon terms to be agreed upon by the said city and the said public utility corporations

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Jadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopees,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Deputy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Poor,	Mazza,	Sarraz,	Speaker

NAYS—0.

NOT VOTING—2.

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1345, as follows:

An Act to reenact and amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L.) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and

transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" by designating the nature of the tax by clarifying the provisions relating to the imposition thereof and by redefining certain terms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L.) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrup and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" are hereby reenacted and amended to read as follows

An Act to provide revenue by imposing [a state] an excise tax payable by those herein defined as manufacturers and bottler [and by others] of [syrups and] bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks [taxable hereunder] and providing penalties

Section 1 This act shall be known and may be cited as the "Soft Drink Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except when used to clearly indicate a different meaning

"Bottled Soft Drinks" Bottled soft drinks as referred to in this act shall include any and all non-alcoholic beverages whether carbonated or not such as soda water ginger ale coca cola lime cola pepsi cola Dr Pepper fruit juice when any plain or carbonated water flavoring or syrup is added milk drinks when any flavoring or syrup is added cider cordial carbonated water orangeade lemonade root beer or any and all preparations commonly referred to as soft drinks of whatsoever kind which are closed and sealed in glass metal paper or any other type of container or bottle and are further described to include any and all beverages commonly referred to as "soft drinks" which are manufactured with or without the use of any syrup The term "bottled soft drinks" shall not include natural undiluted fruit juice vegetable juice or fluid milk (not powdered or reconstituted) to which flavoring alone is added constituting a product containing not less than two and one-half (2½) per centum butterfat when bottled closed or sealed

"Syrup or Syrups" Syrup or syrups as referred to in this act shall be defined as being the compound mixture or basic ingredient practically and commercially usable in making mixing or compounding bottled soft drinks or non-bottled soft drinks by the mixing with same of carbonated or plain water ice fruit milk or any other product [or sundaes or other fountain products] among such syrups being such products as coca cola syrup chero-cola syrup lemon syrup vanilla syrup chocolate syrup cherry smash syrup rock candy syrup Dr Pepper syrup

simple syrups and all other syrups prepared manufactured and practically and commercially usable for the purpose of mixing non-bottled soft drinks [making sundaes and other fountain products] or for [preparation] preparing or manufacturing bottled soft drinks

Simple syrup is further defined to mean any syrup made mixed compounded or manufactured by dissolving sugar and water or any other mixture which will create what is commonly referred to as "Simple Syrup" practically and commercially usable in mixing non-bottled soft drinks [making sundaes and other fountain products] or in bottling soft drinks

"Manufacturer" A person engaged in producing preparing manufacturing or bottling syrup for use sale delivery or consumption

"Bottler" A person engaged in manufacturing bottling preparing for market or segregating in sealed containers any soft drink

"Distributor" Any person engaged in the purchase or resale of syrups or bottled soft drinks in original containers or bottles as prepared for market

"Importer" "Import" The act of any person who or which

1 [Imports] Brings or causes to be [imported] brought from any other state or territory of the United States or from any foreign country syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale and delivery in and after reaching the Commonwealth other than in the original container or bottle

2 [Imports] Brings or causes to be [imported] brought from any other state or territory of the United States or from any foreign country syrups or bottled soft drinks for his own use in the Commonwealth of Pennsylvania or for sale or delivery therein after the same have come to rest or storage therein whether or not in the original container or bottle

3 Purchases or receives syrups or bottled soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use or for sale and delivery therein from any person who has imported the same from a foreign country

4 Purchases or receives syrups or bottled soft drinks in the original container or bottle in the Commonwealth of Pennsylvania for his own use therein or for sale and delivery therein from any person who has imported the same from any other state or territory of the United States in case such syrups or bottled soft drinks have not prior to such purchase or receipt come to rest or storage in the Commonwealth of Pennsylvania

5 Receives and in any manner uses or distributes syrups or bottled soft drinks in the Commonwealth of Pennsylvania where the tax provided in this act has not been previously paid

"Person" An individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals or a corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to a partnership limited partnership or any other form of unincorporated enterprise shall mean the partners or members thereof and as applied to corporations the officers thereof

"Stamp" The impression device stamp label or seal manufactured or printed as prescribed by the department by use of which the tax imposed or assessed hereunder is paid

"Crown" The crown or crowns by the use of which the tax imposed or assessed hereunder is paid

"Original Container" Bottle cask keg receptacle can or other container that has been securely capped sealed crowned or corked by the manufacturer or bottler

"Department" The Department of Revenue of this Commonwealth

"Sale" Any transfer for consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

Section 3 Syrup and soft drink permits

(a) On and after the effective date of this act it shall

be unlawful for any person to continue to engage in or thereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth unless a syrup or bottled soft drink permit shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the manufacture bottling importing or the distribution of syrup or bottled soft drinks within this Commonwealth shall file an application for a syrup or bottled soft drink permit or permits with the department Every application for syrup or bottled soft drink permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant transacts or intends to transact business and the location of his place of business within this Commonwealth If the applicant has or intends to have more than one place of business within the Commonwealth application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be filed by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to file the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar (\$1.00) for each permit

Upon the approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a syrup or bottled soft drink permit for each place of business within this Commonwealth set forth in his application Such permit shall not be assignable and shall be valid only for the person or persons in whose name or names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they were issued unless sooner suspended surrendered or revoked for caused by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar (\$1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents (50c)

(d) The department may suspend or after a hearing revoke a syrup or bottled soft drink permit whenever advised that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and a holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 4 Imposition and rate of tax [on] for syrup and bottled soft drinks (a) Each manufacturer and bottler shall be subject to pay to the Commonwealth the excise taxes imposed by this section upon the producing preparing manufacturing or segregating in this Commonwealth

of all syrups and all bottled soft drinks [prepared manufactured or bottled in this Commonwealth] and every person who [ships or transports] imports syrups or bottled soft drinks into this Commonwealth for use sale delivery storage or consumption in this Commonwealth shall pay to the Commonwealth the taxes imposed in this section before such products are transported within this Commonwealth. Such excise taxes shall be measured at the rate of one half cent ($\frac{1}{2}c$) per fluid ounce or fraction thereof [on] for syrups and one cent (1c) [on each] per twelve (12) fluid ounces or fraction thereof [on] for bottled soft drinks.

(b) Manufacturers bottlers and all persons who [bring] import syrups or bottled soft drinks into the Commonwealth shall be liable to the Commonwealth as taxpayers for the payment of the taxes imposed by this act.

Section 5 Payment of tax by affixing stamps other evidence of payment penalties (a) The payment of the taxes herein provided shall be evidence by the affixing of syrup or bottled soft drink tax stamps or crowns to the original containers or bottles in which all syrups or bottled soft drinks are placed received stored or handled. Such stamps or crowns shall be affixed to each individual container or bottle of syrup or bottled soft drink by the manufacturers or bottlers of this Commonwealth within twenty-four (24) hours after such syrups or bottled soft drinks are placed therein and by manufacturers bottlers and other persons who import [or bring] any syrup or bottled soft drinks into this Commonwealth before the same are transported within this Commonwealth for use sale delivery storage or consumption therein. Nothing herein contained shall require stamps or crowns to be attached to containers or bottles of syrup or bottled soft drinks which are transported through this Commonwealth and which are not sold delivered or stored therein if transported in accordance with such rules and regulations as may be adopted by the department.

The provisions of this section with reference to the stamping or crowning of syrup shall not apply (1) to syrup to be used by bottlers in the manufacture of bottled soft drinks or (2) to syrup in original containers to which stamps or crowns have been once affixed as required herein regardless of how often the syrup in such original containers may be sold or resold within this Commonwealth.

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed as required herein regardless of how often the soft drinks in their original containers or bottles may be sold or resold within the Commonwealth.

(b) It is the intent and purpose of this section to require all manufacturers bottlers and other persons except as provided in clause (A) (a) to affix the stamps or crowns provided for in this act to all original containers or bottles in which syrups or soft drinks are normally placed prepared for market received sold or handled before such products are transported within the Commonwealth.

(c) If it is established to the satisfaction of the department that due to economic conditions or due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act or due to unavailability of material it is impractical to use syrup or soft drink tax crowns or stamps the department is hereby authorized and required to provide by regulation some other means of evidence of payment of the tax imposed or assessed by this act.

(d) Except as provided in clause (c) any manufacturer bottler or person who shall prepare manufacture or use syrups or bottled soft drinks or shall sell syrups or bottled soft drinks to bottlers distributors dealers or consumers without affixing to the original containers or bottles the stamps or crowns required by this act and any person who shall purchase receive transport store or sell any syrup or bottled soft drink to which the stamps or crowns required by this act are not affixed shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less

than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than two hundred dollars (\$200.00) or more than one thousand dollars (\$1000.00) and to suffer imprisonment for a term of not less than six (6) months or more than three (3) years.

Section 6 Assessment on failure to pay tax procedure for assessment review (a) If any person shall fail to pay any tax imposed by this act for which he is liable the department is hereby authorized and empowered to make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession.

(b) Promptly after the date of such assessment the department shall send by registered mail a copy thereof to the person against whom it was made. Within ninety (90) days after the date upon which the copy of any such assessment was mailed such person may file with the department a petition for reassessment of such taxes. Every petition for reassessment shall state specifically the reasons which the petitioner believes entitle him to such reassessment and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. It shall be the duty of the department within six (6) months after the date of any assessment to dispose of any petition for reassessment. Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the department.

(c) Within sixty (60) days after the date of mailing of notice by the department of the action taken on any petition for reassessment filed with it the person against whom such assessment was made may by petition request the Board of Finance and Revenue to review such action. Every petition for review filed hereunder shall state specifically the reason upon which the petitioner relies or shall incorporate by reference the petition for reassessment in which such reasons shall have been stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof. A petition for review may be amended by the petitioners at any time prior to hearing thereon as hereinafter provided. The Board of Finance and Revenue shall act finally in disposition of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six months the action taken by the department upon the petition for reassessment shall be deemed sustained. The Board of Finance and Revenue may sustain the action taken on the petition for reassessment or it may reassess the tax due upon such basis as it shall deem according to law and equity. Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner.

(d) Any person or the Commonwealth of Pennsylvania aggrieved by the decision of the Board of Finance and Revenue or by the Board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement.

(e) In all cases of petitions for reassessment review or appeal the burden of proof shall be upon the petitioner or appellant as the case may be.

(f) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof if no petition for reassessment has been filed or within sixty (60) days from the date of reassessment if no petition for review has been filed or within sixty (60) days

from the date of the decision of the Board of Finance and Revenue upon a petition for review or the expiration of the Board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales receiverships assignments or bankruptcies the department may call upon the Department of Justice to collect such assessment in any event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department the Board of Finance and Revenue or the courts as aforesaid The department may also provide adopt promulgate and enforce such rules and regulations as may be appropriate to prevent further shipment or transportation of syrup or bottled soft drinks into this Commonwealth by any person against whom such unpaid assessment shall have been made

Section 7 Sale stamps or crowns agents commissions discounts advances

The department shall prescribe prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary

The department may appoint persons within or without the Commonwealth as agents for the sale of stamps or crowns to be used in paying the tax herein imposed upon syrup or bottled soft drinks and whenever the department shall sell consign or deliver to any such agent any such stamps or crowns for sale or use such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps a commission of one-half of one per centum on the fact value thereof The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps or crowns

The department is hereby authorized and required to allow to each purchaser of tax stamps or tax crowns a discount of eight (8) percentum of the purchase price of the tax value of stamps or crowns purchased upon the payment by him into the State Treasury through the department of any moneys due to the Commonwealth by reason of the sale delivery or consignment to such purchaser of such stamps or crowns

The said discount shall be allowed by the department in lieu of any claim for refund by reason of (1) the breakage or destruction of containers stamped or crowned as provided in this act in possession of the purchaser or (2) the loss or destruction of tax stamps or tax crowns

The department is hereby authorized and required in proper cases and upon application to advance to manufacturers and bottlers of syrup or bottled soft drinks tax crowns or tax stamps for a period not exceeding thirty (30) days in such amount or of such tax value as shall be determined by the department upon consideration and determination of the following (1) the applicant's satisfactory credit rating (2) the applicant's average monthly rate of use of stamps or crowns and (3) the applicant's average monthly credit extension on accounts receivable for syrups or bottled soft drinks sold The department shall further require the applicant to file a bond in the form prescribed by the department in twice the amount of the tax value of the stamps or crowns to be advanced

Section 8 Manner of affixing stamps

Stamps shall be affixed in such manner as shall be prescribed by regulations adopted and promulgated by the department

Section 9 Reports to Department of Revenue by manufacturers bottlers etc records

For the purpose of verifying the stamp or crown requirements it shall be the duty of every manufacturer bottler distributor and importer on or before the tenth (10th) day of the succeeding month to transmit to the

department a report under oath or affirmation of syrups or bottled soft drinks prepared for market or which were imported and came to rest or storage at his place of business in this Commonwealth during the preceding month or which were transported from a point outside the Commonwealth to a point within the Commonwealth Such report shall show the number of ounces of syrup and the number of bottled soft drinks together with the number of fluid ounces contained therein prepared for market imported transported or stored during the period for which it is made and such further information as the department shall prescribe Each manufacturer bottler distributor and importer shall maintain and keep for a period of two years such record or records of syrup or soft drinks prepared manufactured bottled or transported from a point outside the Commonwealth to a point within the Commonwealth or imported together with invoices bills of lading and other pertinent papers as may be required by the department

Section 10 Examination of records and stock

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records and the stock of syrup or bottled soft drinks in and upon any premises where the same are placed stored or sold and in or on any car vessel truck vehicle or other means of transportation to verify the payment of or liability for the tax imposed by this act Any person in possession of such syrup or bottled soft drinks is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunities for such examination The department or any of its duly authorized agents is hereby authorized to confiscate any syrups or bottled soft drinks stored sold or transported in violation of the provisions hereof

Section 11 Purchase and use of stamps or crowns by foreign producers manufacturers bottlers etc

Producers manufacturers bottlers or other vendors of syrup or bottled soft drinks from without this Commonwealth shall purchase stamps or crowns for the department and affix them in the manner prescribed by the department to original containers or bottles of syrups or bottled soft drinks to be sold delivered or transported for delivery in this Commonwealth

Section 12 Refund on shipment to other states on sales to organizations of Army and Navy personnel on products destroyed by fire flood or disaster

(a) In case any syrup or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been sold or shipped by him to a licensed or regular dealer in such syrups or bottled soft drinks in another state such manufacturer or bottler in this Commonwealth shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller in this Commonwealth shall make affidavit that the syrups or bottled soft drinks were so sold and shipped and that he shall furnish from the purchaser an affidavit or in cases where the total purchase price is five dollars (\$5.00) or less a written certificate in lieu of an affidavit from the purchaser upon satisfactory proof that such affidavit or certificate cannot be obtained other evidence satisfactory to the department that he has received such syrups or bottled soft drinks for sale or consumption outside the Commonwealth and the amount of stamps or crowns thereon together with the name and address of the purchaser

(b) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by the manufacturer or bottler have been sold to commissaries ship's stores or voluntary unincorporated organizations of the Army or Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy such manufacturer or bottler shall be entitled to a refund of the actual amount of the tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold

(c) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by an out-of-state

manufacturer or bottler and subsequently sold by an importing distributor to commissaries ships' stores or voluntary unincorporated organizations of the Army or Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy such manufacturer or bottler shall be entitled to a refund of the actual amount of the tax paid by him upon condition that he shall make affidavit and furnish proof that the syrup or bottled soft drinks were so sold

(d) In case any syrups or bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been destroyed by fire flood or disaster he shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall make affidavit that such syrup or bottled soft drinks were so destroyed and shall also furnish the department with such other proof as the department shall require. In each of the above cases the department shall with the approval of the Board of Finance and Revenue issue to the manufacturer or bottler stamps or crowns of sufficient value to cover the refund. The procedure for refund in any case shall be completed by the Department of Revenue and the Board of Finance and Revenue within sixty (60) days after the proper affidavits have been filed with the department

Section 13 Regulations for shipments out of state

The department may promulgate rules and regulations to relieve manufacturers or bottlers from affixing the stamps or crowns on such goods as are sold and shipped to points outside this Commonwealth

Section 14 Penalty for acceptance without stamps or crowns prima facie evidence penalty for failure to obtain permit penalty for violations counterfeiting or wrongful use of stamps

(a) Except as otherwise provided in this act it shall be unlawful for any person to accept delivery of [taxable] syrups or bottle soft drinks as defined in this act in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department. Such acceptance shall be a misdemeanor and upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace such persons shall be fined ten dollars (\$10.00) for each container or bottle so accepted and in default of payment thereof shall undergo imprisonment for not more than five (5) days for each container or bottle so accepted. Possession of syrups or bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the department shall be prima facie evidence of violation of this section

(b) Any manufacturer bottler distributor or other person who or which is not a holder of a permit or permits as required by this act and who or which engages in the preparation manufacture bottling sale distribution or transportation of syrup or bottled soft drinks shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(c) Any person who shall fail neglect or refuse to comply with or shall violate any provisions of this act for which violation no specific penalty is provided or any of the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books papers invoices and other records his stock of syrups or bottled soft drinks in and upon any premises where the same are prepared manufactured bottled stored and sold in or on any car vessel truck vehicle or other means of transportation and his equipment pertaining to the manufacture transportation storage or sale of syrups or bottled soft drinks [taxable under] as defined in this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred

dollars (\$100.00) or more than five hundred dollars (\$500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp or crown prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or crown or who knowingly and wilfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or crown with intent to utter publish pass or tender such stamp or crown as true or who uses more than once any stamp or crown provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a felony and upon conviction thereof shall be sentenced to suffer imprisonment for a term not exceeding ten (10) years or to pay a fine not exceeding five thousand dollars (\$5000.00) or both

Section 15 Enforcement of act rules and regulations

The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

The department is hereby authorized and directed to prescribe adopt promulgate and enforce rules and regulations relating to the transportation of syrups or bottled soft drinks through the Commonwealth and from points outside of the Commonwealth to points within the Commonwealth and to prescribe adopt promulgate and enforce rules and regulations reciprocal to those of or laws of any other state or territory affecting the transportation of syrups or bottled soft drinks manufactured in [Pennsylvania] this Commonwealth

Section 16 Disposition of taxes and fines

All taxes fines penalties and interest received collected or accruing under the provisions of this act shall be paid into the general fund of the State Treasury by and through the department

Section 17 Constitutionality

The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 18 Effective date

This act shall become effective on the first day of June one thousand nine hundred forty-seven and shall continue in effect until and including the thirty-first day of May one thousand nine hundred forty-nine

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, the cat came back. Banquo's ghost still haunts. We have a bill imposed originally by the power and might of the majority of this House. The leadership must have developed a sadistic strain. They noticed how we gagged at this "pop" bill. They noticed how we wiggled when they made us swallow. So they decided they would make us wiggle more, they would make us swallow it again, and so here is this bill. It was not subjected to amendments when it was here—it was a perfect bill. Its legality was beyond all question; it was

approved by all the constitutional lawyers besides the Attorney General's office, and we had to drink the pop, you had to drink the pop. Evidently you liked the pop so well you decided you would make us drink it again.

Now, Mr. Speaker, yesterday on the floor of this House the Majority Leader asked where and how it would be possible to increase the revenues of this Commonwealth. The financing of school costs have been thrown back in the laps of the local school districts, and the Majority Leader expressed the somewhat naive view that there wasn't anything left anywhere to tax or any place to get money except from pop, sales taxes or wage taxes.

I submit to you that in your Republican state platform you made the statement that the Martin administration had saved this State taxes to the amount of \$322,900,000, that that was the savings that you had handed back to the taxpayers of the Commonwealth. Now, we suggest if you handed back \$322,900,000 to the taxpayers and the business interests of this Commonwealth during the Martin administration, that you go out and try to get some of that money back.

In his message to this House the Governor of this Commonwealth rather bitterly lamented the fact that during the preceding biennium the administration had eliminated taxes totaling \$97,847,000. It should be possible to recover some of that money that we handed back. The major taxes of the Commonwealth now and in the past have included the Capital Stock Tax, Franchise Tax, Corporation Bonus Tax, Foreign Corporation Bonus Tax, Corporate Loans Tax, Corporate Net Income Tax, Gross Insurance Premium Tax, tax on shares of National and State Banks, tax on Title Insurance or Trust Companies, Tax on Savings Institutions Without Capital Stock, Tax on Private Bankers Gross Receipts, Utility Tax, Transfer Inheritance Tax, Estate Tax, and Stock Transfer Tax.

Now, if they want 60 million dollars and you spread 60 million dollars lightly over that impressive front I submit that you will get your 60 million dollars, and you will not burden business overmuch.

When I speak of utility taxes—and it occurs to you and to me that according to all standards, based upon their investments, that the utilities of this State are collecting from the public at a minimum 150 million dollars that they should not have on the basis of their legitimate investment—you can turn to the utilities for money.

I noticed recently in the papers that the Penelec, Pennsylvania Electric Company had given a 15 per cent increase in wages, and they did not have to go to the Public Utility Commission to get an increase in rates. However, before they granted the 15 per cent increase they were not in a position, according to all of their apologists, to accept an increase in taxation. If they had looked to that one source, the over-charges made by the utilities of this State, and had selected that money for the use of the Commonwealth, we would not have had to swallow this obnoxious and bungling pop tax, which I have my doubts has as yet been patched up into a form where it is constitutional or even sensible from the point of view of administration.

Now, you swallowed the pop tax with gagging. We swallowed it and we gagged, and we still gag and we say that this particular tax is unnecessary; that there are other ways of financing the needs of the Commonwealth, other ways of getting this money, and that you elected to choose

the most cumbersome and unscientific method that your confusion could devise.

Mr. SORG. Mr. Speaker, the gentleman misinterprets some of the remarks and questions that I put yesterday. If the gentleman will recall he will remember that I put the question, not as to what can be raised, but what taxes would the gentleman whom I was interrogating vote for. I don't care whether the gentleman voted for 1345 or not. I only want to tell him that this House Bill 1345 takes off the tax, or some of it, that House Bill 664 put on before. I am not too much disturbed about the constitutionality of the particular provisions of this bill, but it does occur to me that House Bill 1345 removes from taxation certain syrups that could have been interpreted as being included in the previous tax measure that we passed.

Mr. Speaker, House Bill 1345 removes the tax on syrups that may be used for the making of sundaes, which never was originally intended, and it could possibly have been interpreted as included in the previous act.

With reference to the general budgetary problem, I would like to remind the gentleman also that some of the taxes that were removed originally have been placed back. Those only were removed that were impractical from a collection standpoint because they would not net the Commonwealth sufficient funds to justify the expense of the particular measure, and I ask the Members to vote in favor of House Bill 1345.

Mr. ANDREWS. Mr. Speaker, I hope, as the session grows shorter, that the temper of the Majority Leader remains at its usual lengthy spasm. It was unkind of him to remind us of the extent to which we are impotent in staying the course of events, and it was really unkind of him when he said, "I don't care whether you vote for this bill or not." If he were a Christian character and he believed in his gospel, he would at least hope for my conversion.

The SPEAKER. The Chair might remind both gentlemen that he hopes the tempers that might have been incurred yesterday, and the tempers today might be softened and soothed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Aaronson,	Graybill,	McCormack,	Serrill,
Baumunk,	Greenwood,	McCosker,	Shoemaker,
Beech,	Greer,	McCullough,	Simons,
Bender,	Griffiths,	McDonald,	Smith, C. C.,
Bloom,	Guthrie,	McKinney,	Smith, C. M.,
Bonawitz,	Gyger,	McMillen,	Sollenberger,
Boorse,	Hall,	Mikula,	Sorg,
Bower,	Haller,	Mintess,	Sproul,
Brelsich,	Haudenschild,	Mohr,	Stank,
Brice,	Helm,	Moore, C. E.,	Stimmel,
Brunner,	Henry,	Moore, H. A.,	Stockham,
Cadwalader,	Hewitt,	Morrison,	Stonier,
Cassidy,	Hocker,	Murray,	Stuart,
Clevenger,	Hoffman,	Myers,	Tahl,
Cook,	Hoopes,	Najaka,	Thomassy,
Cooper,	Horan,	Naumann,	Thompson,
Cordier,	Imbt,	Neff,	Tittle,
Costa,	Jennings,	Nelson,	Tompkins,
Dague,	Johnson,	O'Connor,	Toomey,
Dalrymple,	Johnston,	O'Dare,	Turner,
Davison,	Jones,	O'Donnell,	Upshur,
De Long,	Jump,	Orban,	Vaughan,
Demech,	Kean,	Patten,	Wachhaus,
Dennison,	Kelley,	Pichney,	Wagner,

Depuy,	Kemp,	Pickens,	Waldron,
Dix,	Kent,	Price,	Wallin,
Dye,	Kline,	Propert,	Walton,
Efenberg,	Kohl,	Ragot,	Waterhouse,
Elder,	Kratz,	Reagan,	Watkins,
Ewing,	Krise,	Reese, D. P.,	Watson,
Feola,	Kurtz,	Relly, J. M.,	Weldner,
Fish,	Laughner,	Relly, W. J.,	Wescott,
Fiss,	Layer,	Richter,	West,
Flack,	Lee,	Riley, I,	Wolf,
Fleming,	Leisey,	Robbins,	Wood,
Foor,	Livingston,	Robertson,	Worley,
Frost,	Livingstone,	Root,	Yeakel,
Gallagher,	Loftus,	Rose,	Yester,
Getchey,	Lyons,	Rowen,	Young,
Gibson,	Madden,	Royer,	Lichtenwalter,
Goodling,	Madigan,	Sax,	Speaker.
Gorman,	Mazza,		

NAYS—38

Andrews,	Cochran,	Miller,	Reese, R. E.,
Bane,	Cole,	Mills,	Sarraff,
Barrett,	Crowley,	Mooney,	Scanlon,
Bentzel,	Erb,	Needham,	Schuster,
Boles,	Evans,	O'Neill,	Snider,
Brown,	Goff,	Petrosky,	Swope,
Bucchin,	Kirley,	Polaski,	Verona,
Capano,	Lovett,	Powers,	Weiss,
Chervenak,	Mihm,	Readinger,	Wheeler,
Chudoff,			

NOT VOTING—3

Scott,	Trout,	Yetzer,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 7, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Forty-eight thousand dollars (\$48,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,

Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

McCormack,	Trout,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 72, as follows:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time heretofore or hereafter spent in military service in time of war or national emergency in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance

as herein provided for The time spent in the employ as a county employe need not necessarily have been continuous Provided That when any employe has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for

Whenever any retired county employe receiving a retirement allowance as herein provided shall die leaving a widow to survive him there shall be paid to such widow by the Retirement Board for and during the period of her widowhood an allowance equal to one-half of the amount being paid to such retired county employe at the time of his death

Whenever any county employe has heretofore enlisted in or been inducted into or shall hereafter enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the president of the United States after having been employed by the county for a period of six months or more he shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202			
Andrews,	Gallagher,	Mazza,	Sax,
Aaronson,	Capano,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Stoekmaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Cassidy,	Hocker,	Needham,	Tahl,
Chervenak,	Hoffman,	Neff,	Thomassy,
Chudoff,	Hoopes,	Nelson,	Thompson,
Clevenger,	Horan,	O'Connor,	Tittle,
Cochran,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cook,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dairymple,	Kemp,	Polaski,	Wallin,
Davison,	Kent,	Powers,	Waiton,
De Long,	Kirley,	Price,	Waterhouse,
Demech,	Kline,	Propert,	Watkins,
Dennison,	Kohl,	Ragot,	Watson,
Depuy,	Kratz,	Readinger,	Waldron,
Dix,	Krise,	Reagan,	Weldner,
Dye,	Kurtz,	Reese, D. P.,	Weiss,
Efenberg,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Reilly, J. M.,	West,
Erb,	Lee,	Reilly, W. J.,	Wheeler,
Evans,	Lelsey,	Richter,	Wolf,
Ewing,	Livingston,	Riley,	Wood,
Foale,	Livingstone,	Robbins,	Worley,

Fish,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
Foor,	Madigan,	Royer,	Lichtenwalter,
Frost,	McKinney,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection
Senate Bill No. 80, Printer's No. 273
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 102, as follows:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle and making an appropriation

Whereas The State Emergency Relief Board entered into contracts with the owners of certain abbatoirs to slaughter drought cattle which contracts required certain owners to expend large sums of money in making improvements to comply with Federal inspections before slaughtering could be commenced and

Whereas In some cases by the time these improvements were completed the shipment of cattle had ceased and the owners making these improvements lost large sums of moneys therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Assistance having taken over the powers and duties of the State Emergency Relief Board and the liquidatioi of the said board under the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby empowered to adjust and settle any and all legal or moral claims which the owners of abbatoirs may have against the Commonwealth by reason of contracts entred into with the State Emergency Relief Board for the slaughtering of cattle necessitating extensive improvements which represent a loss to the owner because of the cessation of the shipment of cattle for slaughter of said abbatoirs The Department of Public Assistance shall in the settlement and adjustment of said claims determine the cost of the improvements made in the case of each

such abbatoir and the actual value thereof to the owner in the ordinary course of his business and shall equitably adjust and settle such claims for such sums as in the opinion of the board represents the costs of the improvements made by an owner which are of no substantial benefit to the owner in the ordinary course of his business and the cost of which was not recovered from profits made on the slaughter of cattle under the terms of such contracts

Section 2 The sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of claims allowed against the Commonwealth by the Department of Public Assistance under the provisions of this act Payment from said appropriation shall be made on requisition of the Secretary of the Department of Public Assistance in the manner provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 136, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred six thousand dollars (\$206,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred forty-seven for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost	McCosker,	Sarra,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sax,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 235, as follows:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations

Whereas The Brandywine Battlefield is the only major battlefield of the Revolutionary War that is not owned by State or Nation and

Whereas the Battle of Brandywine sometimes described only as a defeat for the Continental Army was in reality one of General Washington's most skillfully executed strategic retreats reflecting credit upon the American Forces and their Commander

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created as an independent administrative commission of the Commonwealth The Brandywine Battlefield Park Commission The Governor within sixty days after the passage of this act shall appoint ten citizens of this Commonwealth who together with the Secretary of Forests and Waters and the Chairman of the Pennsylvania Historical and Museum Commission ex officio shall constitute The Brandywine Battlefield Park Commission which commission shall be charged with the duty of establishing marking preserving controlling managing and supervising The Brandywine Battlefield Park herein authorized to be established The commissioners so appointed shall serve for a term of four years The Governor shall fill all vacancies arising from any cause whatsoever Six members shall constitute a quorum

Section 2 The commission shall organize immediately upon its appointment by the election of one of its members as chairman another as vice chairman another as secretary and another as treasurer It may adopt such rules of organization and procedure as it may deem appropriate and determine the duties of its officers and employes Thereafter it shall elect its officer annually on the anniversary of The Battle of Brandywine September 11, 1777 or as near thereto as convenient

Section 3 The Department of Property and Supplies is hereby authorized and empowered upon the advice and approval of The Brandywine Battlefield Park Commission to acquire by condemnation purchase or gift in the name of the Commonwealth the General Washington and General Lafayette headquarters or the sites thereof used during the Battle of Brandywine together with such other contiguous adjoining or adjacent land not to exceed fifty acres as lay within the area of said battlefield

Section 4 The real estate so acquired shall be preserved and maintained as a patriotic and historical place and park to be known as The Brandywine Battlefield Park

Section 5 The Brandywine Battlefield Park Commission is charged hereby with the custody control management and supervision of said park and is hereby author-

ized and empowered to make plans for its preservation maintenance development and improvement and to make and enforce such rules and regulations for the visitation thereof by the public as may be necessary using therefor any funds at the disposal of the said commission not otherwise specifically appropriated or allocated

Section 6 Except as otherwise provided in this act the commission shall be subject to the provisions of The Administrative Code of 1929 as amended

Section 7 The sum of fifty thousand (\$50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to pay for the lands acquired under the provisions of this act repairs to structures thereon thus acquired and any costs and expenses in connection therewith

Section 8 The sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary is hereby specifically appropriated to The Brandywine Battlefield Park Commission for clerical expenses and to maintain the lands or structures acquired under the provisions of the act for the biennium beginning the first day of June one thousand nine hundred and forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordler,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Relly, J. M.,	West,
Efenberg,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fliss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrat,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 241, as follows:

An Act to amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by making provision concerning the registration or transfer of securities to or by nominees of fiduciaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" is hereby amended to read as follows

Section 3 Registration [of] or Transfer of Securities [Held] to or by Fiduciaries or Their Nominees If a fiduciary or the nominee of a fiduciary in whose name are registered or to be registered any shares of stock bonds or other securities of any corporation public or private or company or other association or of any trust [transfers] applies for the registration or transfer of the same such corporation or company or other association or any of the managers of the trust or its or their transfer agent is not bound to inquire whether the fiduciary or nominee is committing a breach of his obligation as fiduciary or nominee in making [the] such registration or transfer or to see to the performance of the fiduciary obligation and is liable for [registering] such registration or transfer only where such registration [of the] or transfer is made with actual knowledge that [the] such fiduciary or nominee is committing a breach of [his] obligation as fiduciary in making the trust in requesting such registration or transfer or with knowledge of such facts that [the action] its or their participation in [registering] such registration or [the] transfer amounts to bad faith

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sora,

Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Kratz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 315, as follows:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employees and expenses of the flood control commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars (\$10,000,000) or so much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and for the development and use thereof for reforestation

tation forest protection silvicultural operations forest recreation and other forest work for acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the flood control commission for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control for the encouragement by demonstration or otherwise of proper forest practices by private land owners

Section 2 The amount of this appropriation to be expended for any of the purposes enumerated in section one shall be determined by the Secretary of Forests and Waters with the approval of the Governor.

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I desire to express a point of view concerning a series of appropriation bills. Senate Bill 315 is a bill for 10 million dollars to the Department of Forests and Waters. There are no specifications as to how the money is to be spent, a complete abdication of legislative functioning in connection with this measure.

Later on we will be asked to vote for Senate Bill 455 for 16 million dollars to the Department of Property and Supplies, which is to be used for existing or new state-owned institutions, but where or when or how, this House has not been informed.

There is Senate Bill 472, and that is nine million two hundred thirty-five thousand dollars to the Department of Health, with some degree of allocation in this bill, but no definite commitments as to time, place or costs.

There is Senate Bill 685. There is another blank check for nine million two hundred and ninety thousand dollars for work to be done at various state institutions. No specifications as to where or when, a complete abdication of legislative function in all of these measures.

We simply write blank checks totalling millions and hand them over to the Departments without any instructions or without any proper authority as far as our legislative function is concerned.

Then we come to Senate Bill 717, and there we have a proper bill. It appropriates five million four hundred twenty-six thousand nine hundred ninety dollars, to be expended in rehabilitating our State Teachers' colleges, and the measure sets forth specifically where the money is to be spent, and how it is to be spent. In this bill, of all the series of appropriation bills, the Legislature outlines its will and commits a program into the keeping of the Department that is going to spend the millions which they vote so lavishly and hand over without any restrictions as to time, place or method of spending.

Mr. SORG. Mr. Speaker, I would like to direct the gentleman's attention to the fact that every appropriation to a specific Department is made to that Department to be used and spent efficiently and in the best manner within the proper functions of that particular Depart-

ment. I submit, Mr. Speaker, there is at least some measure of restriction as to what this money shall be applied for, and that in itself takes it out of the category of so-called blank checks.

I should also like to direct the gentleman's attention to the fact that these particular appropriation measures are the result of requests made by the various Departments, presented in due form to the proper Committees of this House and the proper Committees on the part of the Senate in order to arrive at the proper amount as to what might be necessary to accomplish the purposes so vitally needed, as we all realize.

Mr. ANDREWS. Mr. Speaker, I merely wish to say that the material supplied to the Appropriations Committee, and the facts furnished for the Appropriations Committee are submitted in such a manner and in such a way that with the limited facilities at the disposal of the Appropriations Committee, it was impossible to check the departmental requests, and that many of these amounts are arrived at by rule of thumb, and that even though this Committee had the information as to how the money was to be spent, it is a pity that the Committee could not have taken this House into their confidence.

Mr. TURNER. Mr. Speaker, I have a lot of sympathy for the position taken by the gentleman from Cambria, Mr. Andrews, in his desire to have breakdowns of the amounts to be expended and the manner in which the Departments or the objectives the departments hope to achieve, broken down into smaller items out of the larger lump sums that we have been able to appropriate in the last few bienniums, but it doesn't seem to me to be entirely fair on our part to criticize these appropriations.

In the first place we have an almost impossible situation in Pennsylvania. A Governor is elected in November and comes into office in the middle of January. We expect him inside of one month to have his budget ready for submission to the Legislature. At the outside we expect it in six weeks. The budget has generally been prepared in the prior administrations through budget requests of the Departments, starting in the summer before the session of the Legislature, and naturally subject to revision after the Governor comes in. It has seemed to me that what we should do in the first place is to change the Constitution and the law in Pennsylvania and provide that in the year in which a new Governor is inaugurated the Legislature should meet about the first of March and not on the first day of January.

We should give an incoming Governor and his Departments, his Cabinet with its natural changes many times and in many instances, an opportunity to get settled and to know something about the requirements of the Department before a budget is submitted and before we begin hearings in the Appropriations Committee.

In the second place, Mr. Speaker, we in the Legislature are also a great deal to blame. We have no facilities, or very slight facilities in the Appropriations Committee through which we may determine the demands and the requirements of the Departments in our own behalf. We have to take, as a matter of practical experience or practical practice—we have to take the requirements or the budgets submitted to us by the different Departments,

without any knowledge on our part as to the particular details as to whether the budget figures are correct, as to whether they are greater amounts than the Departments require, and all that we can do in the Appropriations Committee is sit there and fish around and ask a few questions of the Department in an effort to determine whether the appropriation that is requested is a proper one.

That to me, Mr. Speaker, is neither an intelligent nor a proper legislative way to approach it. In the coming biennium, Mr. Speaker, we hope that we can rectify this to some extent.

Mr. Speaker, if I were approaching the problem on my own behalf I would raise no question, but I think this matter is of vital importance to the Members of the House, and I think that conversation on the sidelines should cease during the time of debate.

The SPEAKER. The Chair directs the visitors on the sidelines to refrain from conversation. The gentleman will proceed.

Mr. TURNER. Mr. Speaker, we have in the appropriation bills before the House now or in the general appropriation bills that just passed the House, an increase in the contingent fund for the Appropriation Committee of the House, and the Finance Committee of the Senate—or the Appropriation Committee of the Senate, from the fourteen thousand dollars which they seek to twenty-five thousand apiece or a total of fifty thousand dollars. That was the result of the experiences of the gentleman from Cambria and the Chairman of the Appropriation Committee and others of us in past bienniums and during this session. The Chairman of the Appropriation Committee and myself interviewed the Governor and discussed this matter with him, and we found him readily sympathetic. We will, therefore, have when you come into session in 1949, and we will have had during this coming biennium, a total of fifty thousand dollars at the command of the Appropriations Committee.

We have a most excellent man who is working for the Appropriations Committee, Mr. Russell Stoner. I have been a member of the Appropriations Committee for many years and worked on fiscal problems, and I do not think that we have ever had associated with that Committee or in any of the groups with which I have worked in the past a more conscientious and more able and better man than Mr. Stoner. He has travelled many hundreds of miles over the State of Pennsylvania visiting our institutions, and I think he is tremendously well informed on the conditions that exist and the needs of our institutions, but one single man can not do this job. A couple of stenographers cannot with one man or a team of men do this job; we must have a continuing organization, not only during the session but between sessions to gather information and interview the Departments to find out about their needs, so that when the Legislature comes into session we will have factual information with which and from which we may expect to check the figures submitted to the Appropriations Committee.

Therefore, I say, Mr. Speaker, while I have some sympathy with the position of the gentleman from Cambria, I feel that it is unfair for us at this point and at this time to criticize a new administration that has had so

short a time to formulate its budget and its program and to make all the necessary details. And in the second place, Mr. Speaker, a lot of the blame lies on our own doorstep.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Dare,	Tittle,
Clevenger,	Imbt,	O'Connor,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Proper,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Riley,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 372, Printer's No. 230
was passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DENNISON asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

Agreeably to order,
The House proceeded to the the third reading and consideration of Senate Bill No. 387, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the purpose of preparing a reprint of the Report of the Commission to locate the site of the Frontier Forts of Pennsylvania as originally written pursuant to the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 123) and to publish five thousand (5000) copies of the report

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mooney,	Snider,
Bonawitz,	Griffiths,	Moore, C. E.,	Sollenberger,
Boorse,	Guthrie,	Mintess,	Sorg,
Bower,	Gyger,	Mohr,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudensfield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wheeler,
Eisenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wescott,

Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flah,	Lovett,	Root,	Yester,
Fisa,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 413, as follows:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven to be paid to state-aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein shall be made to such hospitals from time to time at the rate of fifty dollars (\$50) annually for each student nurse being trained in a hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Johnston,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Orban,	Patten,	Upshur,
Cooper,	Jones,	Vaughan,	

Gordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 437, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Pennsylvania Historical and Museum Commission for further restoration preservation and improvement of the birthplace of the world's petroleum industry at Drake Well Memorial Park for the completion of a replica of the original Drake Well derrick and its machinery for the payment of salaries wages or other compensation for professional technical or other services necessary for planning and executing the restoration preservation and improvement of Drake Well Memorial Park for the necessary cost of landscaping for surveying the property and installing suitable boundary monuments for relocating the paths and improving parking areas for raising sections of the park area above flood level and for repairing the dike for the purchase of tools implements books manuscripts pictures and other objects of interest to the public in connection with the history of petroleum for the purchase of necessary equipment and for other incidental and contingent expenses

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
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Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 455, as follows:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of sixteen million dollars (\$16,000,000) is hereby appropriated from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within

the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buechin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoope,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Devison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. F.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. The Chair requests the gentleman from Snyder, Mr. Fiss, to preside.

MR. FISS IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 459, entitled:

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. HALLER. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 470, as follows:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever in the opinion of the Secretary of Highways the laying out opening and construction of the highways hereinafter described will facilitate the movement of vehicular traffic or relieve traffic congestion on the State Highway System the Secretary of Highway with the approval of the Governor shall have authority to lay out and take over as State highway routes such highways in accordance with the following descriptions

(1) Beginning at a point on Route 507 north of Shiremanstown thence in a general easterly direction in Cumberland County to the Dauphin County line in or near Lemoyne thence easterly in Dauphin County to an intersection with Route 139 Spur

(2) Beginning at a point on Route 1 near Rockville thence in a general southeasterly direction in Dauphin County crossing Route 140 and 139 east of Harrisburg to a point on Route 129 southeast of Middletown

(3) Beginning in the City of Easton at the approach to the toll bridge leading to Philipsburg New Jersey

thence westerly in Northampton County to a point near Brodhead thence southwesterly in Northampton and Lehigh Counties to a point on Route 443 and by spur from a point near Brodhead northwesterly in Northampton County to a point on Route 471 west of Bath

Section 2 The laying out of a new State highway route under the provisions of this act shall be by a plan prepared by the Department of Highways approved by the Governor and filed in the office of the Recorder of Deeds of the proper county at the expense of the county or counties wherein such highway is located and thereafter such highway shall be a part of the system of State Highways to be constructed and maintained by the Department of Highways at the expense of the Commonwealth

Highways laid out under the provisions of this act may traverse existing streets and roads including existing State highway routes

Section 3 The opening construction reconstruction and maintenance of highways laid out under the provisions of this act shall be done by the Department of Highways in accordance with the provisions of present or future laws governing the relocation widening construction reconstruction and maintenance of State highways and the opening construction or reconstruction may be done in sections and shall include the necessary structures and appurtenances

Section 4 Where any new highway laid out under the provisions of this act approximates the location of an existing State highway route the existing State highway route may be replaced or relocated to the new highway

Section 5 So much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways

Section 6 This act shall be effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to ask anyone who would know whether House Bill 470 is highway bill or whether it is a 20 million dollar bridge bill.

Mr. SORG. In my opinion Senate Bill 470 is a highway bill intended to take care of certain congested areas in that State. While under the provisions of the bill it is possible that there may be a bridge in the vicinity of Harrisburg constructed in order to relieve such congestion of the traffic that comes through the city, it has been indicated to me that approximately 40 per cent of the traffic that would use the new route suggested is through traffic.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, I have never attended, at least during this session, a meeting of the Highway Committee. I understand that at a meeting of that Committee a representative of the Highway Department pointed out how under this bill it was possible to build a highway, a link on one side of the river, and bring the two ends of those roads within one mile of each other, and that then it would be possible under the vast powers vested in the Highway Department, to proceed to connect the two ends of these two roads, and that while this bill is an innocent bill on its face, calculated to deceive a simple person like myself, I wouldn't even suspect that there was a 20 or 26 million dollar bridge prospect in view if I didn't understand that at was stated that that was the purpose of the Highway Department and the plans of the Highway De-

partment, and that while there might be some difficulty in getting a bill through the General Assembly directly for a bridge, indirectly the same result could be accomplished.

Now, I am not debating the question as to whether or not there should be an additional bridge across the Susquehanna at some particular place. I am raising the question of whether that bridge should appear before this House under the form in which we find Senate Bill 470. I say that if Harrisburg and Dauphin County and the powers that be feel that a 20 million dollar road project combining a bridge across the Susquehanna is what this Commonwealth needs, the thing to do is to bring the issues squarely before us, before the people of this Commonwealth and squarely before us, the Members of this House. I haven't a bit of doubt that there are other Members of this Assembly that feel the need for bridges, and I would call the attention of the Members of this House that at the present time your Highway Department is practically bankrupt, that out of the vast sums of money available for the use of the Highway Department less than 96 million dollars per biennium are available for new construction; the rest of it goes for maintenance. Whether we have reached the limit without remodeling our structure with which we support the Department of Highways, whether we are in a position to draw upon these slender funds to the extent of 20 million dollars I have my doubt. So, Mr. Speaker, as much as I would like to go along with this, I find that the Susquehanna is spanned by sufficient bridges, and I find myself unable to support Senate Bill No. 470.

Mr. SORG. Mr. Speaker, I only want to add one thought, that in connection with Senate Bill 470, I did undertake to take the matter up with the Department of Highways and find that Senate Bill 470 is the result of extensive study and discussion of the traffic problem in certain areas by the Department of Highways, and that this bill was prepared at their request as a result of the conclusions they reached by reason of the study made. In my own mind I am convinced that it is not the basic purpose of this bill to provide a bridge to span the Susquehanna, because while it does cover a particular area, and within its provisions it permits construction of a bridge across the Susquehanna in the vicinity of Harrisburg, it also provides for the establishment of new routes in other parts of the State where the Highway Department in its study found a vital necessity.

I would also like to suggest to the gentleman that in my inquiry of the Department of Highways I find that even should such a bridge be constructed it would be a small part of the over-all and would be less than twenty-five per cent of the 20 million dollar figure that the gentleman suggests.

Mr. ANDREWS. Mr. Speaker, the gentleman from Elk reinforces my point of view. When the gentleman from Elk says that under the terms of this bill it would be possible to construct a bridge across the Susquehanna he underwrites my whole contention, because I submit to you that the construction of a bridge across the Susquehanna is a major project and that if it is possible under the bill there must have been an object in making it possible under the bill. Who wants to put a pos-

sibility in a bill if you are never going to realize the possibility? And if you are going to have in mind to build a bridge why not be honest with this House and put it in the bill?

Mr. McMILLEN. Mr. Speaker, I think it is time to stop now and review some past history. In my time around here I have seen this thing going on quite frequently near the close of the session where bills are brought in before us to vote upon that involve tremendous sums of money, stated or otherwise. I have also seen in that time thousands upon thousands of rural residents of this State coming here appealing for a small pittance to be placed in a road-building program that would get them out of the mud, and make it possible for them to merely get off the farm in the winter time and get into town.

It is only a matter of a few weeks ago, or rather a few days ago, that it was seen fit to so specify to the people of Pennsylvania, rural Pennsylvania, that out of the approximately 35 to 40 million dollars of the one cent gas tax, that we feel and we know that 10 million dollars is enough for one division and ten for another. Neither was very specifically outlined; there wasn't any doubt or question in their minds. They said, "This is all you need, this is all you are going to get," and that is all we got and all we are going to get.

I am not arguing either whether we should have a bridge in Harrisburg; that is not my argument at all. I come here with the argument that in this particular bill there is no limitation whatsoever. It is a blank check; nothing is specific. It says that "As much of the money in the highway fund as may be necessary." That could mean every nickel of the highway fund. While I don't think the Highway Department would do that, I do say that it places in the hands, and I am fully aware of what I say when I say this, that it does place within the hands of very powerful forces the ability to force the issue. The legislation is on the books, what are you going to do about it? We have seen many, many millions of dollars in the highway fund allocated to these super-construction jobs. I don't doubt at all that there is a need and a necessity to relieve some bottlenecks in traffic, but I question the honesty on the part of the state government to short change the rural people of Pennsylvania.

Mr. SORG. Mr. Speaker, I want to assure this House that I do not think there is anything dishonest in this particular measure. We have had a study by the Highway Department that discloses that there is a need for such a bridge. I suggest it is not too far different from the roads in other particular areas in the state where a contract is let, and a bridge can be included over every stream that is encountered in the construction of a road.

I want to say further, Mr. Speaker, that this talk about blank check, the point that has been made so often, seems to completely exclude the idea that we have three branches of government; that we here in this Legislature can not only raise that fund but also encumber ourselves with the necessity to appoint committees to spend it. We must somehow or other have some coordination, or some cooperation with the administrative agencies of our particular state government as well. The bill in allocating, or in permitting the allocation of funds

from the liquid fuel tax fund for construction of roads is no different than any other. If any of the roads or routes on the statute books in any part of the state find themselves in a situation where congested traffic would indicate to the Highway Department the plausibility of construction, we need no specific legislation so long as it is a state highway route on the statute books, as it is proposed this might be, and they go ahead and let a contract and build the road. We have here no unique set of circumstances only for the one exception, that it does require legislation to take over some of the other public streets that will be involved in the bypass contemplated by this act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Aaronson,	Gorman,	McCullough,	Sax,
Baumunk,	Graybill,	McDonald,	Scott,
Beech,	Greenwood,	Mikula,	Serrill,
Bender,	Greer,	Miller,	Shoemaker,
Bentzel,	Griffiths,	Mintess,	Simons,
Bonawitz,	Gyger,	Mohr,	Smith, C. G.,
Boorse,	Hall,	Mooney,	Smith, C. M.,
Bower,	Haller,	Moore, C. E.,	Snider,
Breisch,	Haudenshield,	Moore, H. A.,	Sollenberger,
Brice,	Helm,	Morrison,	Sorg,
Brunner,	Henry,	Murray,	Sproul,
Cadwalader,	Hewitt,	Myers,	Stank,
Capano,	Hocker,	Najaka,	Stimmel,
Cassidy,	Hoffman,	Naumann,	Stockham,
Clevenger,	Hoopes,	Neff,	Stonier,
Cole,	Horan,	Nelson,	Stuart,
Cook,	Imbt,	O'Connor,	Tahl,
Cooper,	Jennings,	O'Dare,	Thomassy,
Cordier,	Johnson,	O'Donnell,	Thompson,
Costa,	Johnston,	O'Neill,	Tittle,
Dague,	Jones,	Orban,	Tompkins,
Davisor,	Jump,	Patt.n,	Toomey,
De Long,	Kean,	Pichney,	Turner,
Demech,	Kelley,	Pickens,	Upshur,
Depuy,	Kemp,	Price,	Vaughan,
Dix,	Kent,	Propert,	Wachhaus,
Dye,	Kline,	Ragot,	Waldron,
Efenberg,	Kohl,	Readinger,	Walton,
Elder,	Krise,	Reagan,	Watkins,
Erb,	Kratz,	Reese, D. P.,	Watson,
Ewing,	Laughner,	Relly, J. M.,	Weiss,
Feola,	Layer,	Relly, W. J.,	Wescott,
Fish,	Lee,	Richter,	West,
Fiss,	Lelsey,	Riley,	Wolf,
Flack,	Livingston,	Robbins,	Wood,
Fleming,	Livingstone,	Robertson,	Worley,
Gallagher,	Loftus,	Root,	Yeakel,
Getchey,	Lovett,	Rose,	Young,
Gibson,	Madigan,	Rowen,	Lichtenwalter,
Goff,	Mazza,	Royer,	Speaker
Goodling,	McCosker,		

NAYS—31

Andrews,	Chudoff,	Lyons,	Powers,
Bane,	Cochran,	Madden,	Reese, R. E.,
Barrett,	Crowley,	McKinney,	Schuster,
Bloom,	Dalrymple,	McMillen,	Swope,
Boles,	Dennison,	Mills,	Wagner,
Brown,	Evans,	Needham,	Waterhouse,
Buchin,	Foor,	Petrosky,	Yetzer,
Chervenak,	Frost,	Polaski,	

NOT VOTING 13

Guthrie,	McCormack,	Scanlon,	Wallin,
Kirley,	Mihm,	Trout,	Weidner,
Kurtz,	Sarrafi,	Verona,	Wheeler,
			Yester,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Snyder, Mr. Fiss, for presiding.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 472, as follows:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or rights of ways and acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" by reducing the amount appropriated by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" be hereby amended to read as follows

Section 1 The sum of [twelve million three hundred twenty-five thousand dollars (\$12,325,000)] nine million two hundred thirty-five thousand dollars (\$9,235,000) or so much thereof as may be necessary is hereby appropriated to the Department of Health for the following purposes (1) for the acquisition by purchase or condemnation of land the construction and equipment of a State Health Laboratory the construction of new buildings and facilities the repair and improvement of existing buildings and facilities and the purchase of furnishings and equipment for the State Sanatoria and the Crippled Children's Hospital (2) for payment by the Commonwealth of a share not to exceed fifty per cent (50%) of the cost of preparing engineering and architectural plans and estimates for the construction of plants for the treatment of sewage or industrial waste to be constructed by municipalities municipal authorities and private corporations to end stream pollution and for the payment by the Com-

monwealth of a share of the cost of constructing such plants for the treatment of industrial waste (3) for labor and supplies necessary in the work of sealing abandoned coal mines (4) for stream clearance including the purchase or condemnation of lands easements or right of ways and the acquisition or construction of pipes conduits drains or tunnels and pumps and pumping equipment and (5) for conducting experiments and research to determine approved methods for controlling stream pollution and treating sewage acid mine drainage and industrial waste

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Oax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Scuuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Murray,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopas,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragoc,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	Wet,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	V. H.,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Lofthus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rower,	Young,
Fleming,	Madigan,	Boyer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 478, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards and commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) which added two new paragraphs at the end thereof is hereby further amended so that the said two paragraphs read as follows

Section 507 Purchases

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in

the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for services of the public utility companies

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 Subsection (c) of section two thousand four hundred three of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and the last paragraph of said section as added by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) are hereby further amended to read as follows

Section 2403 Standards and Purchases

* * * * *

[(c) To purchase in like manner (exclusive of the requirement as to maximum price) all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act]

(c) To enter into contracts with the lowest responsible bidder for the purchase of all other furniture materials or supplies requested by the Legislative and other departments of the State Government except as otherwise provided by this act All such contracts shall be approved by the Governor and signed on behalf of the Commonwealth by the Secretary of Property and Supplies who shall also with the approval of the Department of Justice prescribe rules and regulations for the submission of bids awards forms of contracts and other matters related thereto

* * * * *

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing and department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Minness,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vughan,
Cordier,	Jump,	Petrofsky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Ytzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwaller,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 479, Printer's No. 420, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three section four and to amend section eight of the act approved the thirty-first day of May one thousand nine

hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further providing for unlawful use of containers and other equipment and the enforcement of the provisions of the act

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I would like if the sponsor of this bill would tell me whether or not this is a re-copy of a bill that we had during the last session and which was defeated.

The SPEAKER. The Chair would have to send the gentleman over to the Senate. The chair is quite certain that the gentleman would not like to do that.

Mr. LOVETT. Mr. Speaker, is there anyone in the House who can give me that information?

The SPEAKER. Perhaps the gentleman from Montgomery, Mr. Brunner, can do so.

Mr. SORG. Mr. Speaker, I do not recall that this particular bill was ever before the House in my experience.

Mr. LOVETT. Mr. Speaker, does the gentleman recall that during the last session of the Legislature we had a bill somewhat similar to this?

Mr. SORG. I do not, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the Majority Floor Leader to explain what this bill does.

BILL PASSED OVER

There being no objection,

Senate Bill No. 493, Printer's No. 375, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 496, as follows :

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty thousand dollars (\$80,000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Museum and School of industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry

A report of the results of such research and investigation that may be of interest to the industry or to the people of this Commonwealth shall be made and submitted to the Department of Commerce

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrofsky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Deputy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Resse, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 498, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-nine or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular session of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriation of June fifth one thousand nine hundred thirty-seven (Appropriation Acts page thirty-nine) making an appropriation into the Flood Control Fund nor to the appropriation made by the act of August sixth one thousand nine hundred forty-one (P. L. 849) relating to the acquisition of Robert Fulton's Birthplace or to the unexpended balance remaining of the appropriation made by the act approved the first day of August one thousand nine hundred forty-one (P. L. 609) entitled "An act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put" nor to the unexpended balances of the appropriations for Darby Creek construction and maintenance made by the Act of June 1 1943 Appropriation Acts Page 17 nor to the appropriation for the maintenance of the Pennsylvania Canal made by the Act of June 1 1943 Appropriation Acts Page 47 nor to the appropriation for protection of the State Park and State Highway on Presque Isle Peninsula at Erie made by the Act of June 1 1943 Appropriation Acts Page 16 nor to the balance of the appropriation for Welfare Institutional construction made by the Act of June 1 1943 Appropriation Acts Page 53 nor to the appropriation for Capitol Park extension made by the Act of June 3 1943 Pamphlet Laws Page 818

Section 4 This act shall be effective upon the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,

Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Up's ur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Trout,

McCormack,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WAGNER asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 513, as follows:

An Act to further amend section one hundred thirty-three clauses (b) (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto and authorizing transportation of pupils on tours to points within the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred thirty-three and clauses (b) and (e) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall

be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended or added thereto by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 491) are hereby further amended to read as follows

Section 133 [Whenever the county board of school directors and the board of school directors of each of the school districts affected of any county shall deem advisable said boards with the advice of the county superintendent and pursuant to the standards and regulations promulgated by the State Council of Education shall prepare and submit to said council a plan for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units] The State Council of Education shall review and approve or disapprove all plans for the merger of school districts or parts of school districts and for the reorganization of administrative units and attendance areas submitted by county boards of school directors in accordance with the prescribed standards and regulations

Section 814 The county board of school directors shall have power and its duty shall be

* * * *

(b) [To advise local boards and make recommendations to them regarding all free transportation routes and contracts to be used after the first day of July one thousand nine hundred thirty-eight] To approve or disapprove transportation routes and contracts in all districts under the supervision of a county superintendent subject to the approval of the Department of Public Instruction

* * * *

(e) To prepare county-wide plans for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units and to submit the same to the State Council of Education [and to the court of common pleas in accordance with the provisions of this act] on or before the first Monday of July one thousand nine hundred forty-eight If the merger plans are approved by the State Council of Education the county board shall cause such plans to be submitted to the electors in accordance with the procedure outlined in section one hundred thirty-four of this act If the electors do not assent to the merger revised plans shall be submitted within five years in accordance with the foregoing procedure

Section 2 The second paragraph of section one thousand four hundred four of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) and by the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby further amended to read as follows

Section 1404 * * * *

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any resident pupil to and from the public schools and to and from any points in the Commonwealth in order to provide tours for any purpose connected with the educational pursuits of the pupils In all school districts under the direction of a county superintendent all transportation routes to be used after the first day of July one thousand nine hundred thirty-eight shall be established with the advice and assistance of the county board of school directors District owned school buses may be used under contract with another school district to transport nonresident pupils provided the transportation is approved by the county board of school directors and the Department of Public Instruction In any case where after such date two or more such school districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of

the State Council of Education be apportioned among such districts by the county board of school directors. The State Council of Education shall prescribe and adopt standards and regulations including qualifications of school bus drivers to govern the transportation of public school pupils. All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired by the school district shall conform to standards prescribed by the State Council of Education. Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use.

Section 3 Subsection (f) of section one thousand four hundred six of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby further amended to read as follows:

Section 1406 * * * * *

(f) If the Department of Public Instruction [approved] approves the transportation [as to methods] and means and the contracts provided therefor the Commonwealth will pay annually the amounts provided for by this act to the school district furnishing such transportation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Scbuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopea,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davis,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Wells,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,

Fish,
Fliss,
Flack,
Fleming,
Floor,

Lovett,
Lyons,
Madden,
Madigan,
Mazza,

Root,
Rose,
Rowan,
Royer,
Sarraf,

Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 545, as follows:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" as last amended by the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 93) and the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) is hereby further amended to read as follows:

Section 1 Be it enacted &c [That it] Contents of Petition for Adoption It shall be lawful for any adult person desirous of adopting any person either a minor or an adult as his or her heir or as one of his or her heirs to present his or her petition to the orphans' court or to a law judge thereof of the county where he or she may be resident or [of] upon allowance by the orphans' court in the county in which the person to be adopted is a resident except that in counties of the first class where the petition shall be presented to a judge of the municipal court declaring such desire and that he or she will perform all the duties of a parent to such person. Such petition shall also set forth the name color age date and place of birth and religious affiliation of the person proposed to be adopted the name residence [and] marital status color age occupation and religious affiliation of the adopting parent or parents the name color age and place of residence of each of the natural parents or of the surviving parent or of any other person whose consent to the proposed adoption is necessary as hereinafter provided and in those cases where abandonment is alleged a statement that said abandonment has continued for a period of at least six months. In addition such petition shall embody or have attached thereto the consents in writing of the person or persons whose consent to the proposed adoption is necessary as hereinafter provided.

Section 2 Section two of said act as last amended and section three of said act as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) are hereby further amended to read as follows:

Section 2 Consents Necessary to Adoption Consent to the adoption is necessary as follows:

(a) Of the person proposed to be adopted if over twelve years of age and of said person's husband or wife if any.

(b) Of the adopting parent's husband or wife unless they jointly adopt such person.

(c) Of the parents or surviving parent of the person

proposed to be adopted if such person shall not have reached the age of eighteen years [except that in] If any such parent or surviving parent shall be a minor but shall have reached the age of eighteen years or over his consent shall be sufficient without the consent of his parent or guardian In the case of an illegitimate child the consent of the mother only [is] shall be necessary [unless the father has acknowledged such child but the] The consent of a parent who has been adjudged a [lunatic] person of unsound mind of whose unsoundness of mind competent medical testimony presents a prognosis of incurability or habitual drunkard or who has abandoned the child [is] for a period of at least six months shall be unnecessary provided such fact is proven to the satisfaction of the court or judge hearing the petition in which case such court or judge shall so find as a fact

(d) If the person proposed to be adopted has no father or mother living or whose consent is necessary hereunder then of the legal guardian if any there be and of the person or persons having the legal custody of such child if any such person can be found but if such child has no father or mother living or whose consent is necessary hereunder and no legal guardian and no person can be found who has the legal custody of such child and the same be proven to the satisfaction of the court or judge hearing the petition the said court or judge shall so find as a fact

(e) If the person proposed to be adopted has theretofore been adopted then of such adopting parents or surviving adopting parent subject to the same exception provided in clause (c) of this section in the case of natural parents

Section 3 Hearings Upon presentation of any such petition as aforesaid a time for hearing thereon shall be fixed not less than ten days from said presentation which said hearing [may be before the said court or any law judge thereof at chambers and may be adjourned from time to time if the nature of the case should so require At said hearing the adopting parents or parent the person proposed to be adopted if in the opinion of the court such persons' presence is deemed necessary and all the persons whose consent is necessary hereunder must appear in person and be examined under oath by such court or judge but the personal appearance of the natural parents or other persons whose consent is necessary hereunder may be dispensed with in the discretion of the court or judge hearing the petition if such persons reside without the jurisdiction of the court or if for any other reason the said court or judge deem it unnecessary provided the duly executed consents of such persons in writing have been filed with the petition and the said court or judge may in his discretion require the personal appearance of the natural parents of the child at a different time and separate and apart from that of the other parties in interest The said court or judge shall also hear any other testimony as to the facts set forth in the petition or necessary to inform the court as to the desirability of the proposed adoption and may also make or cause to be made an investigation by some person or agency specifically designated by said court or judge to verify the statements of the petition and such other facts as will give the court full knowledge as to the desirability of the proposed adoption

Section 3 Section four of said act is hereby amended to read as follows

Section 4 Decrees of Court Records In no case shall any decree of adoption be made or entered unless the person proposed to be adopted shall have resided with the petitioner for a period of six months prior thereto or in lieu of such residence unless such person is related by blood or marriage to the petitioner: If satisfied that the statements made in the petition are true and that the welfare of the person proposed to be adopted will be promoted by such adoption and that all the requirements of this act have been complied with the court or judge shall make a decree so finding [and reciting the facts at length] and directing that the person proposed to be adopted shall have all the rights of a child and heir of such adopting parent or parents and be subject to the duties of such child but otherwise shall make a decree refusing the

adoption and dismissing the petition If desired by the parties the decree may also provide that the person adopted shall assume the name of the adopting parent or parents and any given first or middle names that may be chosen Such decree [shall be filed and spread at length upon the records of said court and shall be sufficient evidence of the adoption and shall be open to the public All] all other papers pertaining to the case and the testimony if written out shall be kept in the files of said court as a permanent record thereof and [may in the discretion of said court or judge] shall be withheld from inspection [by a proper order in which case no person shall be allowed access thereto] except upon an order of court granted upon cause shown Upon the making of such decree the prothonotary or clerk of the orphans' court as the procedure established may require shall enter upon the docket an entry showing the court term and number and the date of the decree

Section 4 Any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting or the person or persons adopted was a nonresident or were nonresidents of this Commonwealth at the time such adoption was granted or decreed or any adoption which was granted prior to the expiration of the full ten days required by the act of assembly to intervene between the filing of the petition for the adoption and the hearing of such petition by the court or which was granted or decreed without the formal entry on the decree of the findings of facts at length or without the court or judge specifically finding that the statements made in the petition were true is hereby declared valid and lawful as though made in full observance of all the requirements of the act to which this is an amendment Provided That the petition and decree for such adoption were otherwise in accordance with the act to which this is an amendment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Y. M. I.,	Ragot,	Watkins.

Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flack,	Lovett,	Root,	Yester,
Fleming,	Lyons,	Rose,	Yetzer,
Foor,	Madden,	Rowen,	Young,
Fish,	Madigan,	Royer,	Lichtenwalter,
Fine,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 556, Printer's No. 234, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 558, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" be hereby amended to read as follows

Section 1 That the sum of [six million five hundred thousand dollars (\$6,500,000)] three hundred sixty thou-

sand dollars (\$360,000) is hereby appropriated to the Department of Property and Supplies for the acquisition of land by purchase or condemnation for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings the relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension

Section 2 This act shall become effective immediately upon final enactment

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I merely desired to call the attention of the House to the fact that at the last session the minority lead the fight to stop this particular appropriation, and I am now glad to see that the majority, belatedly, agrees that we were right in 1945, and has redrafted the fighting front so far as improvements to Capitol Extension Park are concerned.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopas,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,

Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 580, Printer's No. 528 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 581, as follows:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said authority to pay expenses incident to its formation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "State Public School Building Authority Act"

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) "Authority" shall mean the body politic and corporate created by this act

(b) "Department" shall mean the Department of Public Instruction

(c) "Project" shall mean any structure facility or undertaking which the Authority is authorized to construct improve maintain or operate under the provisions of this act

(d) "Bonds" shall mean and include the notes bonds and other evidences of indebtedness or obligations which the Authority is authorized to issue pursuant to this act

(e) "Construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct in such manner as may be deemed desirable.

(f) "Improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve in such manner as may be deemed desirable

Section 3 State Public School Building Authority The Governor the Superintendent of Public Instruction the

Secretary of Property and Supplies the President Pro Tempore of the Senate the Speaker of the House of Representatives and their respective successors in office are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of the "State Public School Building Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members

Section 4 Purposes and General Powers The Authority is created for the purpose of constructing improving maintaining and operating public school buildings and furnishing and equipping the same for the use as public schools as a part of the public school system of the Commonwealth of Pennsylvania under the jurisdiction of the Department of Public Instruction

The Authority is hereby granted and shall have and may exercise all the powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation
(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal
(d) To acquire purchase hold lease as lessee and use any property real personal or mixed tangible or intangible or any interest therein (necessary or desirable) for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or any interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue bonds of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transaction with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its school districts nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its school districts nor shall the Commonwealth or any of its school districts be liable for the payment of principal or interest on such obligations

Provided further That all contracts between the Authority and school districts shall be conditioned upon the preparation of general plans for the orderly development of improved attendance areas and administrative units and for the improved housing of the public schools of the Commonwealth. These plans shall be prepared cooperatively by local county and State school authorities in accordance with standards and regulations prescribed by the Department. The Department shall have authority and its duty shall be to review all construction projects to determine

(1) The extent to which they conform to general county and State plans

(2) The amount of improvement to be brought about in attendance areas and administrative units

(3) The adequacy of the proposed building with respect to educational design location usefulness for community activities safety comfort and convenience

(4) The ability of the local school district or districts to amortize the cost of construction and to defray the cost of operation and maintenance

No contract shall be executed between the Authority and school districts without the specific written approval of the Department

Section 5 Contracts to Lease and Leases by School Districts from Authority Any school district within the Commonwealth shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any school building and the furnishings and equipment thereof constructed or improved by the Authority for a term with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of said school building and the furnishings and equipment thereof the school district shall have power and authority with the approval of the Governor to lease as lessee any school building and the furnishings and equipment thereof completed by the Authority for a term with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority

Section 6 Purposes and Powers Bonds (a) The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding thirty (30) years from their respective dates bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of the Authority as such resolution or resolutions may provide. The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions. Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids. The notice shall contain a general description of the bonds the manner place and time of the sale or the time

limit for the receipt of proposals. The name of the officer to whom bids or proposals shall be delivered and a statement of the terms and conditions of sale. Pending the preparation of the defective bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any county or other political subdivision thereof) for such obligations or restricting the same to all or any of the revenues rentals or receipts of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of any project or projects and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of rentals and other charges for use of the facilities of or for the services rendered by the Authority including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any rentals or other charges are payable (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed or trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

(c) The Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues rentals or receipts of the Authority thereunder. Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (i) the construction improvement operation maintenance and repair of any project or projects and the duties of the Authority with reference thereto (ii) the application of funds and the safeguarding of funds on hand or on deposit (iii) the rights and remedies of said trustee and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders (a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued. In the event that the Authority shall default in the payment of principal or of interest on any of the bonds after said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty (30) days or in the event that the Authority shall fail or refuse to comply with the provision of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may (except as such right may be limited under the provisions of any deed of trust indenture or other agreement as aforesaid) appoint a trustee to repre-

sent the bondholders for the purposes herein provided. Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement foreshaid) in principal amount of the bonds then outstanding shall in his or its own name

(1) By mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) Bring suit upon the bonds

(3) By action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) By action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) By notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement foreshaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

(b) Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may (to the same extent that the Authority itself could so do) enter and take possession of the facilities of the Authority or any parts thereof the revenues rentals or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit action or proceeding by the trustees the fees counsel fees and expenses of the trustee and of the receiver of any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

(c) In addition to all other rights and all other remedies any holder of bonds of the Authority shall have the right by mandamus or other suit action or proceeding at law or in equity to enforce his rights against the Authority including the right to require the Authority to collect fees rentals and other charges adequate to carry out any agreement as to or pledge of such fees rentals or other charges or income revenues and receipts and to require the Authority to carry out any of its covenants and agreements with the bondholders and to perform its and their duties under this act

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board. Within ninety days after this act shall become effective the board shall meet and organize by electing from their number a president and secretary. At the first regular meeting in each year thereafter they shall elect from their number a president and secretary

Three members shall constitute a quorum of the board for the purpose of organizing the Authority and conduct-

ing the business thereof and for all other purpose and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number. The board shall have full authority to manage the properties and business of the Authority to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority. All banks and trust companies are authorized to give such security for such deposits. The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders. The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts lease sinking funds investments and any other matters relating to its finances operation and affairs

Section 10 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars (\$500) such contract shall be awarded to the lowest responsible bidder after advertisement for bids once a week for three weeks in at least one newspaper of general circulation in the county where the project or improvement is located. The authority may make rules and regulations for the submission of bids and the construction or improvement of any project or portion thereof. No contract shall be entered into for construction or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract. All construction contracts shall provide among other things that the person or corporation into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by

any Federal agency that may assist in the financing of such project or any part thereof

Section 11 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands as it may deem necessary for any of the purposes mentioned in this act Provided however That no lands interest in lands or property of a public service company or property used as a burial ground or place of public worship or a dwelling house and the reasonable curtilage not to be less than three hundred (300) feet appurtenant thereto shall be appropriated by virtue of power of eminent domain hereby conferred The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by the Commonwealth

Section 12 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligation of the Authority or violate any agreements with them or for their benefit

Section 13 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of any project or such portion thereof

Section 14 Exemption from Taxation The effectuation of the authorized purposes of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their welfare and prosperity and for the improvement of their education and educational facilities and since the Authority will be performing essential governmental functions in effectuating such purposes the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 15 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby appropriated to the authority for the payment of costs and expenses incurred in commencing the work of the Authority

Section 16 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I welcome the appearance of this bill upon the calendar. It is a concession made to the authority principle. It establishes an authority. I doubt if it would have been necessary to introduce a bill if they had not scrapped the authority that they did have. It is a move in the right direction, and if you had not scrapped the authority that you did have you would not have had to pass all these tax bills that you swallowed at this session, and you would not have had to crawl in behind the authority method of financing by the back door. I am very pleased to see that at least there has been a confession of error and that the House in part endorses the authority principle of financing building operations in this Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Corman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krize,	Reagan,	Weidner,
Dlx,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Zetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 596, as follows:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanatoria

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 441 Appropriations to Hospitals Tuberculosis Sanatoria and Homes The board of commissioners may appropriate moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to residents of such county and may also appropriate moneys for the support of any home or place of detention for dependent delinquent and neglected children located within the county and may also appropriate moneys for the support of any sanitarium for the treatment of persons afflicted with tuberculosis located within the Commonwealth of Pennsylvania which sanitarium is engaged in charitable work and extends treatment and medical attention to residents of such county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon.
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Moore, C. E.,	Sorg,
Bower,	Gyger,	Moore, H. A.,	Sproul,
Brelsch,	Hall,	Mooney,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hock,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomasry,
Chervenak,	Hoopes,	Nelson,	Thompson,

Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robb's,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 597, as follows:

An Act to amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 442 Appropriation to Society Maintaining Tuberculosis Sanatorium for Maintenance of Indigent Residents of the County The board of commissioners may appropriate to any duly incorporated society chartered to maintain a sanatorium for the treatment therein of persons suffering from tuberculosis so much money as may be necessary for the maintenance of indigent persons residents of the county who may be inmates of such sanatorium and under treatment for tuberculosis [Said appropriation shall not exceed for each indigent inmate the sum of ten dollars per week payable every three months at the end of the period] The board of commissioners shall at all times have free access to such sanatorium for inspection of its management and for the ascertainment of the number of indigent persons receiving treatment therein

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, O. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Montas,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Moore, C. E.,	Sorg,
Bower,	Gyger,	Moore, H. A.,	Sproul,
Brelsch,	Hall,	Mooney,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Nedham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred

and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and in-

incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby further amended by changing the descriptions of Routes 161 247 and 253 to read as follows

Route 161 From Pottsville to Sunbury

Commencing in Pottsville and running by way of Frackville Gilberton and Girardville [and] to a point near Centre and Twenty-first Street in Ashland thence to a point on the dividing line between Schuylkill and Columbia Counties thence by way of Centralia to a point on the dividing line between Columbia and Northumberland Counties thence by way of Mount Carmel Shamokin Paxinos and Stonington by way of Old Centre Pike in Sunbury Northumberland County

Route 247 From Pittsburgh to Uniontown

Commencing at a point on the boundary line of the city of Pittsburgh and running by way of Castle Shannon and Library to a point on the dividing line between Allegheny and Washington counties thence by way of Finleyville [and] to Monongahela City at West Main Street thence from Monongahela City to Charleroi thence over route one hundred and eighteen to Belle Vernon thence by way of Fayette City Star junction and Vanderbilt to Connellsville thence over route one hundred and seventeen into Uniontown Fayette County and by spur from Monongahela along the river through Donora thence westward to connect with the main route two hundred forty-seven

Route 253 From [Tionesta] Kellettville to Smethport.

Commencing [in Tionesta and running over routes ninety-two and ninety-eight to Nebraska thence by way of] near Kellettville thence by way of Mayburg and Lynch to a point on the dividing line between Forest and Warren counties thence by way of Barnes to Sheffield thence over route ninety-five into Smethport McKean County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202

Aaronson,
Andrews,

Frost,
Gallagher,

McCosker,
McCullough,

Sax,
Scanlon,

Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,
Boles,
Bonawitz,
Boorse,
Bower,
Brelsch,
Brice,
Brown,
Brunner,
Bucchin,
Cadwalader,
Capano,
Cassidy,
Chervenak,
Chudoff,
Clevenger,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Dosta,
Crowley,
Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hewitt,
Hocker,
Hoffman,
Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Johnston,
Jones,
Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kline,
Kohl,
Ktz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,

McDonald,
McKinney,
McMillen,
Mihm,
Mikula,
Miller,
Mills,
Mintess,
Mohr,
Mooney,
Moore, C E.,
Moore, H A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Neff,
Olson,
O'Connor,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pichnev,
Pickens,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D P.,
Reese, E E.,
Reilly, J. M.,
Reilly, W J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, O. C.,
Smith, C M.,
Snider,
Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahi,
Thomassy,
Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Weidner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sections of road over State-owned lands shall be adopted by the Commonwealth as State Highways to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways

Beginning at a point at the intersection of the Mt Alto Sanatorium-Caledonia Road and the Sanatorium-Mt Alto Borough Road about 0.6 of a mile south of the Sanatorium Sewage Treatment Plant thence in a southeasterly di-

rection through Guilford and Quincy Townships to a point at the beginning of Route 28022 in Franklin County a distance of 0.85 of a mile

Beginning at a point at the eastern terminus of Application 5503 about 1.5 miles east of the Borough of Mt Alto thence in a northeasterly direction through Quincy Guilford and Greene Townships to a point on the Franklin-Adams County line about 0.6 of a mile north-east of the intersection with Route 43 in Franklin County a distance of 8.6 miles

Beginning at a point on the Franklin-Adams County line about 0.6 of a mile northeast of the intersection with Route 43 thence in a northeasterly direction through Franklin and Menallen Townships to a point on the Adams-Cumberland County line about 3.8 miles south-west of the village of Pine Grove in Adams County a distance of 9.2 miles

Beginning at a point on the Adams-Cumberland County line about 3. miles southwest of the village of Pine Grove thence in a northeasterly direction through Southampton South Newton and Cook Townships to the intersection with Routes 21004 and 21005 at the village of Pine Grove in Cumberland County a distance of 3.8 miles

Section 2 The highway established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202			
Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orbar,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese D. P.,	Weiss,
Dye,	Laughner,	Reese R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,

Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Poor,	Mazza,	Sarraf,	Speaker.

NAYS—0

McCormack, Trout.
NOT VOTING—2

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agretably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 644, as follows:

An Act to prohibit the manufacture and sale of oleo-margarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleo-margarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions
The following words and terms as used in this act shall be construed as follows

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania its agents employees attorneys and representatives

"Secretary" means the Secretary of the Department of Agriculture of the Commonwealth of Pennsylvania

"Wholesale dealer" means all persons firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and oorporations who make sales in quantities of ten pounds and over at any time

"Retail dealer" means all persons firms and corporations who shall sell in quantities of less than ten pounds

Section headings shall not be construed to effect in any manner the scope or meaning of any section of this act

The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 2 Manufacture and Sale of Oleomargarine Regulated

No person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or empl yee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article pr duct or compound made wholly or partly out of any fate oils or oleaginous substances or compound

thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like butter of any shade of yellow as hereinafter described nor unless the same shall be kept and presented in a separate and distant form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine butterine or similar substance shall be deemed to look like be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degrees of yellow or of yellow and red collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

Section 3 License and Fee Prohibition Against Sale of Colored Oleomargarine

Every person firm or corporation and every agent of such person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance not made or colored so as to look like yellow butter shall make application for a license so to do in such forms as shall be prescribed by the Department which application in addition to other matters which may be required to be stated therein by the Department shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the Department it shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble yellow butter for which said license the applicant or applicants shall first pay if a manufacturer if a wholesaler if a retailer if a proprietor of a hotel restaurant or dining-room and if the proprietor of a boarding-house the annual sum of two dollars and the said license fee when received by the Department shall be immediately paid into the State Treasury Such licenses shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture use sale exposing for sale or having in possession with intent to sell any oleomargarine butterine or any similar substance made or colored so as to look like yellow butter as herein provided

All licenses under this act shall expire on the thirty-first day of December of each year Such licenses may be transferred by the Department upon the application in writing of the person firm or corporation to which the same has been granted Provided That the transferee shall comply with the regulations made by the Department in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 4 Display of Licenses Placards and Menu Cards

After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every pro-

prietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a placard or menu card plainly printed stating that oleomargarine is used and served to customers

Section 5 Marking of Tubs Packages Parcels and Wrappers

It shall be unlawful for any person firm or corporation or any servant agent or employee thereof to sell or offer or expose for sale or have in possession with intent to sell any oleomargarine butterine or similar substance not in imitation of yellow butter which is not marked and distinguished on the outside of each tub package or parcel thereof in a conspicuous place with the word "oleomargarine" and the said word "oleomargarine" shall be printed in plain uncondensed Gothic letters of not less than 20-point type and the word "oleomargarine" shall measure at least three and one eighth (3-1/8) inches in length and be a color in strong contrast to that of the tub package or parcel And when oleomargarine butterine or other similar substances not in imitation of yellow butter is sold at retail from such tub or repackaged in print roll or other for before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the word "oleomargarine" printed or stamped thereon in letters one-fourth inch square and said wrapper shall also contain the name and address of the seller and the quantity sold with no other words thereon except the word "oleomargarine"

Section 6 Records

Every licensed manufacturer of oleomargarine butterine or other similar product not in imitation of yellow butter and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall be kept at the place of business for which the license is issued and which shall always be open to the examination of the Department Every licensed retail dealer in oleomargarine butterine or similar substance not in imitation of yellow butter shall keep an accurate account in a book open to the examination of the Department in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or any similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such form as the Department shall direct Each licensed wholesale dealer in oleomargarine butterine or other similar product not in imitation of yellow butter shall deliver to the Department on or before the fifteenth of each month a list of sales of oleomargarine for the preceding month showing the name and address including the count of each purchase and the quantity of such sale

Section 7 Penalty for Violation of Act Recovery Appeal Disposition of Fines

Every person firm or corporation and every officer agent servant and employee of such person firm or corporation who shall manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance in violation of any of the provisions of this act or who shall sell oleomargarine butterine or any similar substance as or for butter or shall fail to keep a book in accordance with the last preceding section or who shall in any other respect violate any of the provisions of this act shall for every such offense forfeit and pay the sum of one hundred dollars which shall be recoverable with the costs as debts of like amount are by law recoverable and justices of the peace and aldermen throughout this Commonwealth shall have jurisdiction to hear and determine all actions for recovery of said penalties with the right to either party to appeal to the court of common pleas as provided in existing laws in suits for penalties And all penalties imposed and recovered under the provisions of this act shall be paid to

the Department and by it immediately paid into the State Treasury

Section 8 Violation of Act Penalty

In addition to the above penalty every person firm or corporation and every agent servant or employee of such person firm or corporation who violates any of the provisions of this act shall also be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for not less than six months nor more than twelve months

Section 9 Evidence

In any proceeding under this act either for the collection of a penalty or a prosecution for a misdemeanor the certificate of the Secretary of Agriculture under the seal of the Department of Agriculture shall be accepted by justices of the peace aldermen and courts of record as evidence of the granting of licenses to manufacture or sell oleomargarine or butterine or of the fact that no such license has been granted to any particular person firm or corporation

Section 10 Enforcement of Act Rules and Regulations

The Department of Agriculture is charged with the enforcement of the provisions of this act

The Department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act

Section 11 Revocation of Licenses

The Department of Agriculture is hereby authorized to revoke any license for cause including instances where the license was obtained by fraud

Section 12 Unlawful Advertising of Oleomargarine or Butterine

It shall be unlawful for a person copartnership association or corporation or for any agent servant or employee of such person or for any member agent servant or employee of any such corporation to advertise for any purpose whatsoever in any newspaper periodical or magazine or upon any handbill or sign or upon any billboard or by signs or otherwise in or upon or in connection with any premises or to advertise or designate upon any package carton tub or other container any substance article product or compound made wholly or partly out of any fats oils or oleaginous substances or compound thereof designated under the laws of the Commonwealth as oleomargarine or butterine unless such advertisement or designation shall distinctly and clearly set forth the character of such substance article products or compound by the use of the word oleomargarine or the word butterine and it shall be unlawful to use in any such advertisement or designation on or in connection therewith the word "butter" or any word such as "Holstein" "Jersey" or "Guernsey" or any other word which is commonly used as designating a known breed of cows

Section 13 Constitutional Construction

It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 14 Effective Date

This act shall become effective the first day of July A D 1947

Section 15 Acts specifically repealed

The Act of May 29 1901 (P. L. 327) as amended and its supplement the Act of May 10 1921 (P. L. 467) are hereby specifically repealed except insofar as necessary to sustain or maintain the validity prosecution or enforcement of any action for the enforcement of said acts which may be pending upon the effective date of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, in supporting this bill I am not expressing a party position but simply a personal vote. I agree with the principle that each industry should either police itself or be policed, and that the oleo industry is an industry that like others needs to be policed, and therefore a small license fee for dealers in oleo provided under certain provisions in this bill is in line with what I believe is a proper practice. I also know that various members of the Democratic Caucus disagree with this view and I want them to understand that they are in no way obligated or bound by any personal vote that I might cast.

Mr. YESTER. Mr. Speaker; oleo has been a problem for some time. To me I don't realize why you want to tax oleo and don't tax lard, you don't tax cheese, you don't tax anything else. I don't see where it needs any policing and personally I am opposed to it.

Mr. REAGAN. Mr. Speaker, the question is here whether we are going to pass this bill that is before us, or go back to the old bill which is still on the books. The only part that was eliminated by the court action was the fee for manufacturers, wholesalers and retailers. If we do not pass this bill we go back to all these restrictions of the old bill. Among them would be fifty dollars on a restaurant, on a hotel, and ten dollars on a boarding house.

If we have to go back to that old bill we will receive no income for policing. The Agricultural Department claims that they can police oleo for a two dollar fee, and certainly oleo needs policing, because if you will read an article by the Federal Government you will find that it has caused a great deal of racketeering. The FBI has put out a pamphlet showing what the racketeers, particularly in our big cities, have been doing with oleo. They mix it up in bath tubs, washing machines and other receptacles of an unsanitary character. Oleo should be policed in the interest of everybody. It should not be allowed to be sold without the people knowing that they are buying oleo. Certainly you have a right to know whether you are buying butter or whether you are buying oleo, and I think we would make an awful mistake did we not pass this bill and have to go back to the old bill which would remain in force.

Mr. BROWN. Mr. Speaker, I had not intended to get into this debate. I suspect that perhaps I am going to get in bad again with my distinguished friend, the Minority Floor Leader. How he can arrive at the decision and the conclusion that everything that is sold needs to be taxed or policed is far beyond any conception of government that I understand. I think it is the height of absurdity for anyone to say that oleomargarine needs policing. If oleomargarine needs policing then everything that is sold needs policing. I think that is just a smoke screen and certainly we ought not to be fooled with that kind of an argument. There is no justification for this bill and this House should defeat Senate Bill 644.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Aaronson,	Gorman,	McCullough,	Rowen,
Andrews,	Graybill,	McDonald,	Royer,
Bane,	Greenwood,	McMillen,	Sax,
Baumunk,	Greer,	Mikula,	Scott,
Bloom,	Griffiths,	Miller,	Serrill,
Bonawitz,	Gyger,	Mintess,	Shoemaker,
Boorse,	Hall,	Mohr,	Smith, C. C.,
Bower,	Helm,	Mooney,	Smith, C. M.,
Breisch,	Henry,	Moore, C. E.,	Snider,
Brice,	Hocker,	Moore, H. A.,	Sollenberger,
Brunner,	Hoffman,	Murray,	Sorg,
Cadwalader,	Hoopes,	Myers,	Sproul,
Cassidy,	Horan,	Najaka,	Stimmel,
Clevenger,	Imbt,	Naumann,	Stockham,
Cole,	Jennings,	Neff,	Stonier,
Cook,	Johnson,	Nelson,	Swope,
Cordier,	Jones,	O'Connor,	Tahl,
Costa,	Jump,	O'Dare,	Thomassy,
De Long,	Kean,	O'Donnell,	Thompson,
Demech,	Kelley,	O'Neill,	Tittle,
Dennison,	Kemp,	Orban,	Tompkins,
Depuy,	Kent,	Patten,	Toomey,
Dix,	Kline,	Petrosky,	Turner,
Dye,	Kohl,	Pichney,	Upshur,
Efenberg,	Krise,	Pickens,	Wachhaus,
Elder,	Kurtz,	Polaski,	Wagner,
Erb,	Layer,	Price,	Walton,
Ewing,	Lee,	Probert,	Waterhouse,
Feola,	Leisey,	Ragot,	Watkins,
Fish,	Livingston,	Reagan,	Watson,
Fiss,	Livingstone,	Reese, D. P.,	Wescott,
Flack,	Loftus,	Reese, R. E.,	West,
Foor,	Lyons,	Reilly, J. V.,	Wolf,
Frost,	Kratz,	Reilly, W. J.,	Wood,
Gallagher,	Madden,	Riley,	Yeakel,
Gibson,	Madigan,	Robbins,	Yetzer,
Goff,	Mazza,	Root,	Young,
Goodling,	McCosker,	Rose,	Lichtenwalter,

Speaker.

NAYS—34

Barrett,	Cochran,	Johnston,	Stank,
Beech,	Cooper,	Loughner,	Stuart,
Bender,	Crowley,	Powers,	Vaughan,
Boles,	Dague,	Readinger,	Verona,
Brown,	Dalrymple,	Richter,	Waldron,
Bucchin,	Davison,	Robertson,	Welss,
Capano,	Flaming,	Sarrafi,	Worley,
Chervenak,	Haller,	Schuster,	Yester,
Chudoff,	Hewitt,		

NOT VOTING—18

Bentzel,	Kirley,	Mills,	Trout,
Evans,	Lovett,	Morrison,	Wallin,
Getchey,	McCormack,	Needham,	Weidner,
Guthrie,	McKinney,	Scanlon,	Wheeler,
Haudenshield,	Mihm,	Simons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is informed that Fred Myers, a former representative from the twelfth district of the City of Philadelphia, is present. The chair welcomes him.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

Senate Bill No. 676, Printer's No. 444,
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 680, as follows:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 72 Expenses to Be Paid by County Time Limit on Meetings The actual expenses of the county commissioners county solicitor and chief clerk attending such meeting of said State association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meetings shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than fifty dollars to any county per annum

In addition thereto and for the purpose of coordinating and devising uniform economical and efficient methods of administering the affairs of the several counties the various questions and subjects pertaining thereto the necessary expenses incurred in connection with the carrying on of the work and the activities of said State association to effectuate such purposes shall be apportioned among the counties holding membership in said association in the amounts as provided for by the rules and regulations of said State association but shall not total per annum more than three hundred fifty dollars (\$350) for any county of the second class three hundred dollars (\$300) for any county of the third class two hundred fifty dollars (\$250) for any county of the fourth class two hundred dollars (\$200) for any county of the fifth class one hundred fifty dollars (\$150) for any county of the sixth class one hundred dollars (\$100) for any county of the seventh class or seventy-five dollars (\$75) for any county of the eighth class Provided That such assessments shall be approved at each annual convention of said State association by a majority vote of the members present

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Frost,	McCosker,	Sarrafi,
Andrews,	Gallagher,	McCullough,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McKinney,	Schuster,
Baumunk,	Goff,	McMillen,	Scott,
Beech,	Goodling,	Mihm,	Serrill,
Bender,	Gorman,	Mikula,	Shoemaker,
Bentzel,	Graybill,	Miller,	Simons,
Bloom,	Greenwood,	Mills,	Smith, C. C.,
Boles,	Greer,	Mintess,	Smith, C. M.,
Bonawitz,	Griffiths,	Mohr,	Snider,

Boorse,	Guthrie,	Mooney,	Sollenberger,
Bower,	Gyger,	Moore, C. E.,	Sorg,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
Demech,	Kline,	Propert,	Waterhouse,
Dennison,	Kohl,	Readinger,	Watkins,
Depuy,	Kratz,	Reagan,	Watson,
Dix,	Krise,	Reese, R. E.,	Weldner,
Dye,	Kurtz,	Reese, D. P.,	Wescott,
Efenberg,	Laughner,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,		

NAYS—6

De Long,	Ragot,	Weiss,	Wood,
Layer,	Sproul,		

NOT VOTING—2

McCormack,	Trout,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 684, as follows:

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any

parts thereof that are or may be inconsistent therewith" as last amended by the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 213) is hereby further amended to read as follows

Section 1214 The board of school directors of any school district of the third or fourth class which has no district superintendent may employ a supervising principal [of a part or all] of the public schools of the said school district under and subject to the provisions of section one thousand two hundred five of this act Every supervising principal shall be properly certificated by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simona,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Fish,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sattaf,	Speaker.

NAYS—0

NOT VOTING—2

McCormack,	Trout,
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The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 685, as follows:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing building and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of nine million two hundred ninety thousand dollars (\$9,290,000) is hereby appropriated from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, O. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stank,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Capano,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chudoff,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,

Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krlse,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. F.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flsh,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrat,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 696, Printer's No. 332 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teacher's Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto

On the question,

Will the House agree to the bill on third reading?

Mr. NELSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 2 of Title, by inserting after the word "Colleges" the following: "and Pennsylvania Soldiers' Orphan School."

Amend Sec. 1, page 2, lines 2, 3 and 4, by striking out the words "Five Million Four" in line 2, all of line 3, and the words "Ninety Dollars (\$5,426,990)" in line 4, and inserting in lieu thereof the following: "six million two hundred forty-one thousand nine hundred ninety dollars (\$6,241,990)."

Amend Sec. 1, page 2, line 6, by inserting after the word "Colleges" the following: "and Pennsylvania Soldiers' Orphan School."

Amend Sec. 1, page 12, by inserting between lines 16 and 17 the following:

XV. Pennsylvania Soldiers' Orphan School.

For the payment of the costs of remodeling main dormitory, building a new laundry and dry cleaning plant and purchasing equipment therefor, providing a three story (six room) addition to school building, building a new pump house and purchasing equipment therefor, for construction of indoor swimming pool addition to symnasium, eight hundred fifteen thousand dollars (\$815,000).

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sub-section (a) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended in part by the act approved the eighteenth day of May one thousand nine hundred and forty-five (P. L. 803) and as last amended in part by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid

into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled except in any county which does not have sufficient money in such special fund to provide for payments designated in the current annual budget for payment from such special fund for the purposes of construction reconstruction maintenance and repair of county-owned roads highways and bridges property damages interest and principal payments on road or bridge bonds or sinking fund charges for such bonds becoming due within the current calendar year the county for the purpose of such payments and such payments only may borrow and place in such special fund moneys not in excess of the liquid fuels tax funds to be received during the current calendar year and all such loans shall be repaid from such special fund before the expiration of the current calendar year and not thereafter Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes [and all such payments heretofore made are hereby validated] and all payments made by any county either directly or indirectly prior to the first day of January one thousand nine hundred and forty-six for any or all such purposes are hereby validated Provided That no expenditures from the County Liquid Fuels Tax Fund shall be made by the county commissioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And provided further That the county commissioners shall not allocate moneys from the county liquid fuels tax fund to any political subdivisions within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the Department of Highways on or before the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the Department of Highways a report showing the receipts and expenditures of such moneys received by the county from the Commonwealth under the provisions of this section Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any one of such reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

On the question

Will the House agree to the bill on third reading?

It was agreed to.

On the question

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker I would like to ask what certain expenditures are validated under this act, where the expenditures were made and what is their amounts?

Mr. SORG. Mr. Speaker, the expenditures validated by this bill are those which were made from a special fund established in the districts by reason of a return of gasoline tax from the Commonwealth to those districts.

The expenditures from the special fund are limited to specific purposes under the law under which the money is returned to the specific counties. Up until the session of 1945 the law covering the permissible expenditures out of these allocations was far from clear.

In 1945 this Legislature established certain definite rules and regulations effective as of the calendar year of 1946. Prior to that time, however, some counties did use funds from the liquid fuel tax allocated back to them for purposes definitely not authorized, such as the construction of bridges, for instance. I have in mind one county that constructed a bridge costing in the neighborhood of 16 thousand dollars, and another one of 15 thousand dollars. Another county used money from this special fund for the payment of bonds representing an indebtedness which was incurred by reason of the construction of a bridge in the amount of three hundred seventy-six thousand dollars, so that until the Act of 1945 became effective there was a difference of opinion as to whether or not this was a proper application of funds. The present law proposes to validate the expenditures made by county officials for those purposes.

Mr. ANDREWS. A further question, Mr. Speaker, were any expenditures in any county made for general fund purposes other than roads or bridges?

Mr. SORG. To my knowledge there have not been such expenditures, Mr. Speaker. I would also like to indicate to the gentleman that I inquired of the Auditor General's department which audited these particular accounts, as to whether that was true, and I haven't had a report to date.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mint'ass,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	M'wers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,

Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flah,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes.

On the question,

Will the House agree to the bill on third reading?

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, line 7 from bottom of page, by striking out the word "of" and inserting in lieu thereof "or";

Amend Sec. 4 (Sec. 1108), page 10, line 9, by striking out the word "to".

Amend Bill by adding another section as follows: Section 5. This act shall become effective immediately upon final enactment.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 784, as follows:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distiller's licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars (\$1000) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years beginning June first one thousand nine hundred forty-seven to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses for any year following one thousand nine hundred forty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervnak,	Hoopes,	Nelson,	Thompson,

Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	C'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welse,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakei,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 786, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by the Act of the General Assembly and

Whereas The laws of this Commonwealth provide that State officers and employes shall be paid semi-monthly on the first and fifteenth days of each month therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of seven million dollars (\$7,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries of the officers and employes of the State government in the interim between the thirty-first day of May on thousand nine hundred forty-seven and such time as moneys appropriated by the General Appropriation Act of one thousand nine hundred forty-seven become available for such purposes

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments of salaries are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriations made for the salaries of the officers and employes of the State government in the General Appropriation Act of one thousand nine hundred forty-seven

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchlin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenkak,	Hoopas,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vatghan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Darwin,	Kirley,	Price,	Walton,
De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

ANNOUNCEMENT

The SPEAKER. The Chair would like to say for the information of the Chairmen of standing committees that in order to expedite the work of the House, bills will

be referred to Committees on the day they are received from the Senate. The Chair would request the chairmen of Committees to pick up the bills and sign for them every day.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 9.

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 149.

An Act authorizing the Department of Highways to erect and construct a bridge over the Snusquehanna River at Retreat State Hospital Retreat Luzerne County to provide the necessary approaches thereto and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 193.

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

Referred to the Committee on Judiciary.

SENATE BILL No. 378.

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent.

Referred to the Committee on Education.

SENATE BILL No. 432.

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter

of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

Referred to the Committee on Highways.

SENATE BILL No. 666.

An Act to facilitate vehicle traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the Board with the approval of the commission or by the commission with the approval of the Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collecting of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds.

Referred to the Committee on State Government.

SENATE BILL No. 673.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

Referred to the Committee on Highways.

SENATE BILL No. 770.

An Act providing for equalization of assessed valuations

of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties on certain local officers agents boards commissions and departments and making an appropriation.

Referred to the Committee on Education.

SENATE BILL No. 774.

An Act to amend the act approved the fifth day of December one thousand nine hundred thirty-three (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

Referred to the Committee on Judiciary

SENATE BILL No. 779.

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" by further providing what evidence is or is not admissible.

Referred to the Committee on Judiciary.

SENATE BILL No. 781.

An Act to further amend section four of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to court and collection of delinquent taxes.

Referred to the Committee on Judiciary.

SENATE BILL No. 782.

An Act to amend the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation

tion" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

Referred to the Committee on Judiciary.

SENATE BILL No. 823.

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publications of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntarily suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

Referred to the Committee on Judiciary.

SENATE BILL No. 828.

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern and the Western Extension or any two thereof for financing purposes under the provisions of this act authorizing the issuance of Turnpike Revenue bonds of the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved or under the provisions of this Act and which shall then be outstanding including the payment of any redemption premiums thereon refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this Act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this Act or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions.

Referred to the Committee on Highways.

SENATE BILL No. 831.

An Act creating the Pennsylvania Public Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties providing for a Director of Public Safety and defining his powers and duties defining the scope of existing safety agencies and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 833.

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks.

Referred to the Committee on State Government.

SENATE BILL No. 836.

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" by further regulating the payment of such moneys into the State Employees' Retirement Fund.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DAVID P. REESE

(Concurrent) RESOLUTION No. 67.

In the House Representatives, June 10, 1947.

Whereas the amount of tax collected under the Federal Unemployment Insurance Act is considerably in excess of the total amount appropriated for grants-in-aid to the several states and required by such states for the administration of their respective unemployment compensation laws, and

Whereas the total amount of such tax should properly be returned to the states for administration of their respective unemployment compensation laws and the payment of benefits to unemployed workers, therefore be it

Resolved (if the Senate concurs) that the General Assembly of the Commonwealth of Pennsylvania hereby respectfully memorializes the Congress of the United States to enact the necessary Federal legislation whereby all moneys collected from Pennsylvania employers under the Federal Unemployment Tax Act are returned to the Commonwealth for the administration of the Pennsylvania Unemployment Compensation Law: Provided, That any such moneys in excess of the amount required for administration are transferred to the Unemployment Compensation Account for the payment of benefits to unemployed Pennsylvania workers.

Referred to Committee on Rules.

RESOLUTION

DISCHARGING COMMITTEE FROM CONSIDERATION OF HOUSE BILL No. 923

Messrs. CHUDOFF and SCANLON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, June 10, 1947.

Resolved, That the Committee on Judiciary be discharged from further consideration of House Bill No. 923, entitled "A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania abolishing County of Philadelphia as a separate political entity and providing for administering of county functions by City of Philadelphia," which bill was referred to the Committee on Judiciary on March 25, 1947.

On the question,

Will the House adopt the resolution?

Mr. CHUDOFF. Mr. Speaker, especially the Members of the House from Philadelphia, in order to explain House Bill No. 923 perhaps the best way to do it would be to read a little pamphlet put out by the Bureau of

Municipal Research of Philadelphia known as "Citizens' Business," on May 6, 1947. This is about the shortest and most concise pamphlet on the matter brought to the attention of the House.

"In the Legislature are two identical bills, one in the House and the other in the Senate, proposing a constitutional amendment of city-county consolidation in Philadelphia: House Bill 923 (Chudoff and Scanlon), introduced on March 24 and referred the next day to the House Committee on Judiciary; and Senate Bill 414 (Stiefel, Jaspan, Rosenfeld, and Di Silvestro), introduced on March 25 and referred the same day to the Senate Committee on Constitutional Changes and Federal Relations.

"The constitutional amendment proposed in these bills is practically the same as the one which went before the voters of the state in 1937, and which then received a handsome majority in Philadelphia but failed of adoption because of an adverse upstate vote. It has been drafted with great care. If made a part of the constitution, it would abolish the county of Philadelphia 'as a political entity separate and distinct from the City of Philadelphia,' and would provide for the performance of all county functions by officers of the city, who would be either 'appointed or elected as may be provided by law.' The proposed amendment relates only to the county of Philadelphia; it would not affect any other county in the state."

"For some time there has been much discussion of charter revision and home rule for Philadelphia. Neither of these measures, however, can go very far toward their goals until the proposed amendment is in the constitution. Charter revision, whether undertaken by the Legislature directly or by the city itself under a legislative grant of home rule powers, cannot change the existing structure of county government so long as the county officers in Philadelphia retain their present constitutional status. One of the principal goals of charter revision is to bring about greater centralization of administrative control in the Mayor. Such centralization, however, cannot go much farther than it has gone already until the elective county officers can be made appointees of the Mayor or of members of the Mayor's cabinet, or their offices can be abolished altogether. The proposed amendment is therefore a prerequisite to any thorough-going charter revision or any really significant exercise of home rule powers."

"Philadelphia's county government has long been out of date, on two scores. In the first place, it is out of date because its highly decentralized structure, which had its origin in a rural setting, is not suitable for urban government. Philadelphia has been largely urban for many decades. In the second place, it is out of date because a county that is coterminous with a city does not need a separate government for county affairs. The city of Philadelphia and the county of Philadelphia have had identically the same boundaries and area ever since June 1854. It is high time that this hampering relic be discarded in favor of an up-to-date arrangement. The proposed constitutional amendment would clear the way for doing just that. If it is approved by the present Legislature, and approved also by the next Legislature early in 1949, it can go before the voters in the fall of that year."

Mr. Speaker, this is not the first time that a constitutional amendment of this type was offered. It was first offered twelve years ago in 1935, when it passed the House and Senate and was signed by the Governor. It was again passed in 1937 and when it was given to the people to vote on in November 1937 the so-called Republican leaders in Philadelphia came out for the passage of this amendment, and it passed with an overwhelm-

ing majority. However, I am told that orders were given by the up-state Republican leaders to knife the amendment, causing its defeat. This amendment time and time again was agreed upon by both the Department of Municipal Research of Philadelphia and the Committee of Seventy to do away with the dual government in Philadelphia and to consolidate into one form of government, which would save the taxpayers anywhere from four and a half to five million dollars a year in Philadelphia.

Today we were looking for additional funds to pay school teachers so that the city of Philadelphia can secure benefits from the teacher's legislation before the House and in the Senate.

I say to the Members of the House that if this amendment had passed in 1937 it would not have been necessary to increase taxes, but the money saved by eliminating certain unnecessary officers of Philadelphia would be in the hands of the School Board of Philadelphia, and I particularly say to the Republican Members from Philadelphia that if they vote against the discharge of the Committee which I have introduced in this Resolution they are voting for waste and extravagance in Philadelphia, and I ask that the Committee on Judiciary be discharged. I ask for a roll call, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I am glad that you recognized me, because I want to be the first person, if it is necessary, to come to the defense of the Committee of Judiciary of this House. I am surprised at the gentleman from Philadelphia presenting a resolution that the Committee on Judiciary should be discharged. If there is any Committee of this Legislative body that has worked during this session, that has given consideration to every bill, that has afforded to every person the right to be heard, it is the Committee on Judiciary.

It is my opinion, Mr. Speaker, that the power to discharge a Committee, though undoubtedly within the powers of this House, should not be exercised unless a Committee has acted improperly or unless a Committee has acted capriciously, and unless it has denied the right of persons to be heard. No one in this House can make such an accusation against the Judiciary Committee. While I believe that the gentleman from Philadelphia will vote for his resolution, in fairness to that Committee I think there ought to be two hundred seven votes against this resolution.

Mr. ANDREWS. Mr. Speaker, the gentleman from Allegheny, Mr. Brown, said something about being surprised. I surprised him, the gentleman from Philadelphia surprises him, but the greatest surprise is my own. I admire and respect the Chairman and the membership of the Judiciary General Committee, and doubtless they work, but this Committee is not the Supreme Court; it is not this House; it is not some super-government. I do not believe there is any other Committee in the House that is so sensitive about its prerogatives. They do work and they do reach decisions, but so do our courts, our county courts. They work and they reach decisions, and the Supreme Court says they are wrong. Now, this Judiciary General Committee has worked on many, many bills, but that its dignity should be hurt, that its feelings should be bruised and that this should be made a matter of

whether the Committee has worked faithfully—you cannot give them indulgence on that basis.

I agree entirely with the argument that the gentleman from Philadelphia has made. The people of Philadelphia have sanctioned the idea in the constitutional amendment which he would bring before this House and would bring before the people, and it certainly should not bruise anybody's feelings if this House in its wisdom should sometimes decide to discharge a Committee. There has been too much trailing around in this House, this General Assembly, of the feelings of members of Committees, and you must not discharge committees from the consideration of legislation lest you hurt somebody's feelings.

Mr. CHUDOFF. Mr. Speaker, the gentleman from Allegheny, Mr. Brown, would like you to believe that I have committed one of the high crimes of the House. I say to the gentleman from Allegheny, Mr. Brown, and to the Members of this House that the city-county consolidation is of the utmost importance to the City of Philadelphia. The Republican leaders of Philadelphia have always given lip service but have never come forth to pass the bill each and every time it has been introduced in this House, and I say to you that the Democratic party in Philadelphia is for consolidation, efficiency in government and economy in government, and I don't care what Committee of the House is involved, I think we ought to discharge committees and bring out bills that should be brought out.

Mr. McKINNEY. Mr. Speaker, I simply want to ask the Members of the House to vote against this resolution.

Mr. O'DONNELL. Mr. Speaker, I seek permission to interrogate the gentleman from Philadelphia, Mr. Chudoff.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. I will, Mr. Speaker.

Mr. O'DONNELL. Mr. Speaker, I should like to ask the gentleman if this bill was on the calendar in the session of 1935-37.

Mr. CHUDOFF. It was, Mr. Speaker.

Mr. O'DONNELL. And presented by whom, Mr. Speaker?

Mr. CHUDOFF. I don't know who the sponsor was, Mr. Speaker, but it was presented by a Member. I think it was originally introduced in the Senate in 1935 and passed the House after passing the Senate.

Mr. O'DONNELL. And can the gentleman tell us by vote of the Philadelphia Republicans on the bill in 1935-37?

Mr. CHUDOFF. I cannot give the gentleman the answer now; it is a matter of record.

Mr. O'DONNELL. Did the gentleman not study the record lately?

Mr. CHUDOFF. I did not study the vote. I only looked at the time the bill was first introduced.

Mr. O'DONNELL. Mr. Speaker, from the gentleman's remarks—of course I may be wrong and he may be right, but the gentleman seems to put it on the party proposition, that it is either right or wrong depending upon the party, is that correct?

Mr. CHUDOFF. I did not say that, Mr. Speaker. I said that those in favor of good government, especially those from Philadelphia should vote for the discharge of the Committee.

Mr. O'DONNELL. And the gentleman also says that it would save several million dollars?

Mr. CHUDOFF. Between four and five million dollars, Mr. Speaker.

Mr. O'DONNELL. And can the gentleman tell me, Mr. Speaker, where it would be saved and over what time?

Mr. CHUDOFF. I understand that the bureau of Municipal Research has worked out the figures and details of the saving, and they figure it will save the city of Philadelphia somewhere between four million and five million dollars.

Mr. O'DONNELL. Would that be eliminating some of the services that the people are getting now?

Mr. CHUDOFF. No, Mr. Speaker, it will only eliminate the duplication of services now performed by two officers in the City of Philadelphia.

Mr. O'DONNELL. Mr. Speaker, may I ask if the gentleman would undertake to obtain that information and present it to us by tomorrow?

Mr. CHUDOFF. I don't think I can get it by tomorrow, Mr. Speaker, in the dying days of the session, but I will get it, Mr. Speaker, and give it to the gentleman personally.

Mr. O'DONNELL. I would like to get it on the record, Mr. Speaker. I am asking the information from the gentleman because I have made a pretty good study of the subject, and as I see it, the city charter as far as the gentleman's bill is concerned would cost the city more money.

Mr. CHUDOFF. My bill, Mr. Speaker, would not cost more money, but by means of consolidation it would eliminate dual offices.

Mr. O'DONNELL. And we would still have to pay the same number of employee's, I think, Mr. Speaker.

Mr. CHUDOFF. According to the bureau of Municipal Research which has made a study of this subject, it will eliminate a great number of employees, and that report is open to public inspection.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Chudoff and Mr. Andrews and were as follows:

YEAS—13

Andrews,	Chervenak,	Lovett,	Scanlon,
Barrett,	Chudoff,	Petrosky,	Stank,
Boies,	Cochran,	Reese, R. E.,	Weiss,
Bucchin,			

NAYS—179

Aaronson,	Goodling,	McCormack,	Royer,
Bane,	Gorman,	McCosker,	Sax,
Baumunk,	Graybill,	McCullough,	Schuster,
Beech,	Greenwood,	McDonald,	Scott,
Bender,	Greer,	McKinney,	Serrill,
Bonawitz,	Griffiths,	McMillen,	Shoemaker,
Boorse,	Guthrie,	Mikula,	Simons,
Bower,	Gyger,	Miller,	Smith, C. O.,
Cassidy,	Hall,	Mintess,	Smith, C. M.,
Brice,	Haller,	Mohr,	Snider,
Brown,	Haudenschild,	Mooney,	Sollenberger,
Brunner,	Helm,	Moore, C. E.,	Sorg,
Cadwalader,	Henry,	Moore, H. A.,	Sproul,
Cassidy,	Hewitt,	Morrison,	Stimmel,
Clevenger,	Hocker,	Murray,	Stockham,
Cook,	Hoffman,	Myers,	Stonier,
Cooper,	Hoopas,	Najaka,	Stuart,
Cordier,	Horan,	Naumann,	Swope,
Costa,	Imbt,	Needham,	Tahl,
Crowley,	Jennings,	Neff,	Thomassy,

Dague,	Johnson,	Nelson,	Thompson,
Dalrymple,	Johnston,	O'Connor,	Tittle,
Davison,	Jones,	O'Dare,	Tompkins,
De Long,	Jump,	O'Donnell,	Toomey,
Demach,	Kean,	Orban,	Turner,
Dennison,	Kelley,	Patten,	Upshur,
Depuy,	Kemp,	Pichney,	Vaughan,
Dix,	Kent,	Pickens,	Verona,
Dye,	Kirley,	Polaski,	Wachhaus,
Efenberg,	Kline,	Powers,	Wagner,
Elder,	Kohl,	Price,	Waldron,
Erb,	Kratz,	Propert,	Wallin,
Ewing,	Krise,	Ragot,	Walton,
Feola,	Kurtz,	Readinger,	Waterhouse,
Fish,	Laughner,	Reagan,	Watkins,
Fiss,	Layer,	Reese, D. P.,	Watson,
Flack,	Lee,	Reilly, J. M.,	Weidner,
Fleming,	Lelsey,	Reilly, W. J.,	Wescott,
Foor,	Livingston,	Richter,	West,
Frost,	Livingstone,	Riley,	Wolf,
Gallagher,	Loftus,	Robbins,	Wood,
Getchey,	Lyons,	Robertson,	Worley,
Gibson,	Madden,	Root,	Yeakel,
Goff,	Madigan,	Rose,	Young,
	Mazza,	Rowen,	Lichtenwalter,
			Speaker.

NOT VOTING—13

Bentzel,	Evans,	O'Neill,	Wheeler,
Bloom,	Mihm,	Sarraf,	Yester,
Caspano,	Mills,	Trout,	Yetzer,
Cole,			

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

DISCHARGING COMMITTEE FROM CONSIDERATION OF HOUSE BILL No. 167

Mr. RUSSELL E. REESE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, June 10, 1947.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill No. 167, entitled:

An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to man locomotives, trains and other self propelled engines or machines with competent employees; to provide the least number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employees; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission.

Said bill having been referred Tuesday Jan. 28, 1947 to the Committee on Railroads and Railways.

On the question,

Will the House adopt the Resolution?

Mr. RUSSELL E. REESE. Mr. Speaker, from your information on June 1, 1937 there was approved P. L. 1120 known as the Pennsylvania Full Crew law. This law was contested in the Dauphin Co. Court by the Pennsylvania Railroad Company.

After a prolonged hearing by the Court of Dauphin County, this Court declared Sections 2, 4, 5, 6, 7 and 8 unconstitutional leaving the remaining sections intact.

This decision was appealed to the Supreme Court of Pennsylvania which Court sustained the decision of the Dauphin Co. Court in so far as Sections 2, 4, 5, 6, 7 and 8 were concerned.

There were several other injunctions ask for by other railroads operating in the State of Pennsylvania and during the year of 1943 the President Judge William M. Hargest of the Dauphin County Courts issued a final consent decree restraining enforcement officers of the State of Pennsylvania from enforcing this act on all other railroads in the State of Pennsylvania except the Pennsylvania Railroad which decree was agreed to by the then Attorney General of the State of Pennsylvania, James H. Duff.

The Railroad Brotherhoods on June 27, 1946 during the Primary campaign requested the then Attorney General who was a candidate for Governor to advise what his attitude would be in reference to the enactment of certain sections of the Act of June 1, 1947 that were not declared unconstitutional.

Under date of July 9, 1946 the then Attorney General advised as follows:

"My examination of the record indicates that Sections 2, 4, 5, 6, 7 and 8 of the Act of June 1, 1937, P. L. 1120 were held unconstitutional in the Pennsylvania Railroad case, and therefore, when the consent decrees were entered only those sections should have been stipulated. In view of the fact that only those sections should have been stipulated, it would definitely seem unfair that a broad decree was entered in all railroads except the Pennsylvania Railroad case.

My opinion, therefore, would be that the matter ought to be reinstated on the basis merely of eliminating those sections that were declared unconstitutional by the order in 337 Pa. 310."

After which the Railroad Brotherhoods addressed a letter to Governor Edward Martin in references to the same subject to which the Governor of the State of Pennsylvania replied in part as follows:

"As I understand it, Attorney General Duff is of the opinion that only those sections of the Act of June 1, 1937 P. L. 1120, the so-called "full crew law," which were declared unconstitutional by the Supreme Court in the above case should have been stipulated in the consent decrees to which you refer. The Attorney General also tells me that he thinks the proper remedy is legislative; and I believe that legislation would be the best way to cure the situation and to accomplish the most good for all concerned."

After which on April 17, 1947 after the former Attorney General, James H. Duff had been inaugurated as Governor of our Keystone State the Railroad Brotherhoods called his attention to his former opinion of July 9, 1946 to which under date of April 21, 1947 the Governor replied as follows:

"I have before me your letter of April 17, relative to Senate Bill No. 52 and House Bill No. 167, which were introduced to correct the situation as outlined in my letter to you under date of July 9, 1946.

I will have this checked by the Attorney General's office and will certainly recommend that the statement made before by me be adhered to."

The Railroad Brotherhoods not hearing from Governor James H. Duff on May 22nd 1947 again addressed a letter to the Governor a portion of which is quoted for your information.

"The undersigned wish to thank you for your reply of April 21st 1947 in our letter of April 17th 1947 in reference to Senate Bill No. 52 and House Bill No. 167.

Due to the fact that this session of the Pennsylvania General Assembly is drawing very near to the end.

We have been unable to have either one of these bills released from Committee, we would appreciate it very much if you would advise us if you have had this bill checked by the Attorney General's office. If so, have you recommended to the leaders of the General Assembly that your former Statement be adhered to."

Due to the fact that more than twenty-one days have elapsed since that time I am of the opinion that the leaders of the majority party have ignored the request of our Governor for the re-enactment of these sections that were not declared unconstitutional, so, therefore, I respectfully request that the members of this General Assembly support the attitude for our Governor and vote to discharge this Committee.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Russell E. Reese and Mr. Scanlon and were as follows:

YEAS—33

Andrews,	Cochran,	Lovett,	Reese, R. E.,
Bane,	Cole,	Mooney,	Scanlon,
Barrett,	Cordier,	Najaka,	Schuster,
Boles,	Crowley,	Needham,	Snider,
Buchin,	Dalrymple,	O'Connor,	Stank,
Capano,	Evans,	Petrosky,	Verona,
Chervanek,	Kohl,	Polaski,	Welss,
Chudoff,	Livingston,	Powers,	Yester,
			Yetzer,

NAYS—144

Aaronson,	Graybill,	Madigan,	Serrill,
Baumunk,	Greenwood,	Mazza,	Smith, C. C.,
Beech,	Greer,	McCosker,	Smith, C. M.,
Bonawitz,	Griffiths,	McDonald,	Sollenberger,
Boorse,	Guthrie,	McKinney,	Sorg,
Bower,	Gyger,	McMillen,	Sproul,
Breisch,	Hall,	Miller,	Stimmel,
Brice,	Haller,	Mintess,	Stockham,
Brown,	Haudenshield,	Mohr,	Stonier,
Brunner,	Helm,	Moore, C. E.,	Stuart,
Cadwalader,	Henry,	Moore, H. A.,	Swope,
Cassidy,	Hewitt,	Murray,	Tahl,
Clevenger,	Hocker,	Myers,	Thomassy,
Cook,	Hoffman,	Naumann,	Thompson,
Cooper,	Hoopes,	Neff,	Tittle,
Costa,	Horan,	On,	Tompkins,
Dague,	Imbt,	O'Dare,	Toomey,
Davison,	Jennings,	O'Donnell,	Turner,
De Long,	Johnson,	Orban,	Upshur,
Dennison,	Johnston,	Patten,	Vaughan,
Depuy,	Jones,	Pichney,	Vachhaus,
Dix,	Kean,	Pickens,	Wagner,
Dye,	Kelley,	Price,	Waldron,
Erenberg,	Kemp,	Propert,	Walton,
Elder,	Kent,	Ragot,	Waterhouse,
Erb,	Kratz,	Reagan,	Watkins,
Ewing,	Krise,	Reese, D. P.,	Watson,
Feola,	Kurtz,	Reilly, J. M.,	Wescott,
Fish,	Laughner,	Reilly, W. J.,	West,
Fiss,	Layer,	Richter,	Wolf,
Flack,	Lee,	Riley,	Wood,
Fleming,	Leisey,	Robertson,	Worley,
Foor,	Livingstone,	Root,	Yeakei,
Frost,	Loftus,	Rowen,	Young,
Gallagher,	Lyons,	Royer,	Lichtenwalter,
Goodling,	Madden,	Sax,	Speaker
Gorman,			

NOT VOTING—23

Bender,	Jump,	Mills,	Scott,
Bentzel,	Kirley,	Morrison,	Shoemaker,
Bloom,	Kline,	O'Neill,	Simons,
Demech,	McCormack,	Readinger,	Trout,
Getchey,	McCullough,	Robbins,	Wallin,
Gibson,	Mihm,	Rose,	Weldner,
Goff,	Mikula,	Sarraf,	Wheeler,

So the question was determined in the negative and the resolution was not adopted.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we are drawing to the close of a short and business like session. There are signs that notwithstanding the celerity with which we have proceeded since the first of January, that there will be a rush to complete the business. There is even a possibility of a midnight watch while four or five members conduct the business of the House.

Now, I have to be one of those four or five Members, and I have grown so accustomed to seeing you, and I like you so much that in the midst of that midnight watch my heart will yearn for you; I will be eager to see your faces, to see your smiles. I will need your presence so much to sustain me that I am awfully afraid that if there isn't a quorum in the House that, as fine men as you are, I will want you so much and need you so much that we will have to send for you.

I am quietly deciding that while I am very much for the regulations, I imagine that I will be disinclined to have business going on unless there is, all of the time in the House, a quorum. I have functioned in this House when there were six or eight here in the wee small hours of the morning, passing on Senate amendments to House bills and so forth and so on. Now, if we are going to close this week and expect to have an early Sunday morning session I will expect all of the time that we have a quorum in the House. If we have to go into Sunday morning—if there is a prospect of going into Sunday morning, we should avoid that—we should recess on Friday or Saturday and take Sunday off and come back and finish our business in workmanlike fashion on Monday and Tuesday.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. FLEMING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

RESOLUTION

Mr. DIX offered a resolution which was laid over under the Rules.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, June 9, 1947.

Whereas, The commission generally known as "The School Commission," created by the act of May 26, 1943 (P. L. 635) and continued by the act of May 24, 1945 (P. L. 953), for the purpose of making a study of public school finance, has completed its assigned task and is about to pass out of existence; and

Whereas, In the course of its studies, the commission has gathered a great deal of invaluable data and information, now contained in the commission's files, all of which should be preserved for future use; therefore be it

Resolved, (If the House of Representatives concurs), That upon winding up its affairs The School Commission deliver all of its files containing all data, reports, material and information collected and compiled by it, to the Joint State Government Commission, to be by it preserved for use by it and such other agencies as may have occasion to study the financing of the public school system.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to Committee on Rules.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 9, 1947.

Whereas, a park and recreational area has been projected for establishment in the Township of Mead, County of Warren, by the Department of Forests and Waters in cooperation with various sportsmen's organizations to be located generally in the location of what is known as Bucher's Mills, and

Whereas, the interest of Dr. Leroy E. Chapman, Senator from the Forty-eighth District, in the establishment and location of the said park and recreational area has been of great assistance in furthering the plans for the same, and

Whereas, it would be fitting that such a project for the benefit of the public, bear the name which would recognize the service to the community of such a man as Doctor Chapman; Therefore be it

Resolved, if the House of Representatives concur, that the park and recreational area to be established at or near Bucher's Mill in Mead Township, Warren County, Pennsylvania, be and the same hereby is officially named "Chapman Park," and shall be so designated on the plans and maps of the Department of Forests and Waters and of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 3.

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

HOUSE BILL No. 309.

An Act to further amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connection with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation" appropriating additional funds from the Motor License fund for the construction of said bridge

HOUSE BILL No. 643.

An Act to amend sections four hundred two four hun-

dred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers and changing penalties

HOUSE BILL No. 874.

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing reveru to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further defining substitutes and regulating their employment and further providing for reimbursement of school district employing substitutes

HOUSE BILL No. 891.

An Act to amend section eight hundred ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the election and terms of councilmen in cases of invalid elections

HOUSE BILL No. 964.

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

HOUSE BILL No. 1021.

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for relisting for certain licenses

HOUSE BILL No. 1159.

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting

the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of titles

HOUSE BILL No. 1188.

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

HOUSE BILL No. 1190.

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

HOUSE BILL No. 1249.

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

HOUSE BILL No. 1261.

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

HOUSE BILL No. 1283.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 829) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that name registrations shall automatically expire if the registrant has not become incorporated within six months requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration

HOUSE BILL No. 1332.

An Act to establish in cities of the first class a house of detention for delinquent dependent and neglected children up to eighteen years of age and providing for the management and the maintenance thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

HOUSE BILL No. 1286 AND COMMUNICATION
TAKEN FROM TABLE

Mr. COOPER. Mr. Speaker, I move that House Bill No. 1286, together with the communication from the Governor, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE
BILL No. 1286

Commonwealth of Pennsylvania
Governors' Office, Harrisburg, May 31, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1286, Printer's No. 504, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All conveyances of real property made or entered into by any county home or by the directors of the poor in any county city borough township or poor district prior to the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" are hereby ratified and confirmed whether or not such conveyances were approved by the court of common pleas as required by the provisions of the act approved the twenty-eighth day of April one thousand eight hundred eighty-seven (P. L. 75)

RECONSIDERATION OF VOTE

Mr. COOPER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HALLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Cooper, vote on the final passage of this bill?

Mr. COOPER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Haller, vote on the final passage of this bill?

Mr. HALLER. Mr. Speaker, I voted in the majority.

On the question,
Will the House agree to the motion?
It was agreed to.

Mr. COOPER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,
Will the House agree to the bill on third reading?

Mr. COOPER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by inserting after the word "property" the following: "and certain agreements concerning real property."

Amend Bill, page 3, by inserting after line 3, the following:

Section 2. All agreements concerning real property made or entered into by any county home or by the directors of the poor in any county, city, borough, township or poor district prior to said act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), are hereby ratified and confirmed whether or not such agreements were approved by the court of common pleas, as required by the provisions of the act, approved the twenty-eighth day of April, one thousand eight hundred eighty-seven (P. L. 75).

Section 3. The provisions of this act are severable, and if any of its provisions shall be held to be unconstitutional by any court of competent jurisdiction, the decision shall not effect or impair any of the remaining provisions of this act.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.
Ordered, That the bill as amended lie over for printing.

HOUSE BILL No. 1278 AND MESSAGE TAKEN FROM TABLE

Mr. BRUNNER. Mr. Speaker, I move that House Bill No. 1278, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1278.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education and research

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 1, line 2, by inserting after the word "education" the words "and research."

Amend section 1, page 2, line 1, by inserting after the word "education" the words "and to provide for the maintenance and support of a research institute of preventive and industrial medicine."

On the question,
Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smit', C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Borase,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrofsky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Krat.,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,

Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

McCormack, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE BILL No. 633 AND MESSAGE TAKEN FROM TABLE

Mr. BRUNNER. Mr. Speaker, I move that Senate Bill No. 633, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 633.

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain officers and employees of cemetery companies engaged in selling cemetery plots from the provisions of the act

Mr. BRUNNER. Mr. Speaker, I move that the House insist on its amendments nonconcurred in by the Senate. The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I know it is late and you are tired, but I do feel that you should never be so tired or too late to take a few minutes out to take note of the trials and happiness of other folks. Down front here we have the eyes and the ears, and perhaps the mouthpiece of the people of Pennsylvania, sitting here in the press box. We are always pleased when they write the things that we want them to write and when they give us good headlines, and we are sometimes displeased when they write things that we don't like. They help us and sometimes they hurt us, but that is all a part of the legislative game.

There happens to be in the press box today a gentleman who is very frequently seen chasing around this

House hunting news, taking notes in preparation for a news release that is going to either put a bill over or defeat it. That man found, as men sometimes do in their lives, that they need help. This man, who is a very habitual pipe smoker, has decided to take unto himself a wife, and it is with a great deal of pleasure, Mr. Speaker, that I offer this resolution.

CONGRATULATORY RESOLUTION

Messrs. McMILLEN and HELM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 10, 1947.

It has come to the attention of the Members of the House of Representatives that one of its legislative correspondents, representing the Associated Press, is soon to be married to Miss Florence Luckzus, daughter of Mr. and Mrs. Charles Luckzus of Shenandoah, Pennsylvania, at which place the wedding will be solemnized at two o'clock in the afternoon of June twenty-ninth in the Saint George's Church.

The other principal to the wedding is the amiable Leonard A. Unger, commonly known as the "key-hole reporter," who came to Harrisburg from Pittsburgh in October of 1945 and who, by his keen and somewhat unique abilities and methods, has ably reported the activities of the House of Representatives during the current session.

Mr. Unger and Miss Luckzus first met while he was a reporter for the Shenandoah Herald where Miss Luckzus is employed as an assistant circulation manager; therefore, be it

Resolved, That the House of Representatives extends to Miss Luckzus and Mr. Unger its best wishes for a happy and successful marriage; and be it further

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to Miss Luckzus at her home in Shenandoah, Pennsylvania, and deliver a copy thereof to Mr. Under.

REPORTS FROM COMMITTEES

Mr. McKINNEY from the Committee on Judiciary, reported as committed, House Bill No. 614, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

Mr. DeLONG from the Committee on Motor Vehicles, reported as committed, House Bill No. 1354, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties imposing certain costs upon counties providing for the

disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting motor vehicles of war amputees obtained through the Veterans' Administration from the payment of registration fees.

Mr. CORDIER from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 96, entitled:

An Act to amend section nine hundred three of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," changing the requirements relating to withdrawal of joint deposits.

Mr. EFENBERG from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 242, entitled:

An Act to further amend subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

Mr. JOHNSTON from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackles trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

Mr. LAUGHNER from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

Mr. COSTA from the Committee on Liquor Control, reported as amended, House Bill No. 146, entitled:

An Act to add subsection (d) to section twelve of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating election for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," limiting the number of distributors' and importing distributors' licenses to be issued.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 614, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1354, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," exempting motor vehicles of war amputees obtained through the Veterans' Administration from the payment of registration fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 96, entitled:

An Act to amend section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" changing the requirements relating to withdrawal of joint deposits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

An Act to further amend subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-

three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 207.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend title, page 1, line 1 by inserting after the word "authorized" the word "counties"; line 2, by striking out at the beginning of the line the word "and" and by inserting after the word "districts" the following: "poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and"

Amend Section 1, page 2, line 1 by inserting after the word "any" the word "county"; line 2 by striking out after the word "township" the word "or" and by inserting after the word "district" the following: "poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point or"

Amend Line 15 by inserting after the word "the" the word "county"; page 3, line 1 by striking out after the word "town" the word "or" and by striking out after the word "township" the word "or" by inserting after the word "district" the following "poor district or county institution district"; line 4 by inserting after the word "or" the following "has not done so in time or"; line 9 by inserting after the word "proceedings" the following "or by reason of failure to file a praecipe on time"; line 13 by inserting after the word "the" the word "county" and by striking out after the word "township" the word "or";

line 14 by inserting after the word "district" the following "poor district or county institution district"; line 19 by inserting after the word "such" the word "county"; line 20 by striking out after the word "township" the word "or" and by inserting after the word "district" the following "poor district or county"; page 4, line 1 by inserting at the beginning of the line the words "institution districts"; line 2 by striking out at the beginning of the line the words "passage and approval" and inserting in lieu thereof the words "effective date"; by inserting after the word "act" the following: "file such tax or municipal claim or amend such claim so as to properly describe the property against which the claim is assessed or"

Amend page 5, line 7 by inserting after the word "purchaser" the words "before such claim is filed or"; line 11 by inserting after the word where it appears the second time in the line "the" the word "county"; line 12 by striking out after the word "township" the word "or", by inserting after the word "district" the following: "poor district or county institution district to file such claim or to properly describe the property against which the claim was assessed or" By inserting after line 18 the following: "nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. O.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buechin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomasay,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,

Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flsh,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

McCormack, Trent,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WAGNER asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1178.

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 12 by striking out after the word "buildings" the following words "or outdoor athletic stadium or stadia"; page 3, line 5 by striking out all of said line after the part word "ings" and line 6 including the word system; line 9, by striking out after the word "building" the following words "or athletic stadia"; page 3, line 12 by striking out after the word "buildings" the words "or athletic stadia" page 3, line 17 by inserting the following: (b) the board of school directors of any school district shall have power to enter into a contract of lease and release with any non profit corporation established for the purpose of erecting athletic stadia including adequate equipment for the athletic field connected therewith as well as fence enclosures and lighting systems therefor for the use of the school district under which contract the school district shall lease land owned by it to the non-profit corporation for the purpose of erecting thereon an athletic stadium including adequate

equipment for the athletic field connected therewith as well as fence enclosures and lighting systems therefor for the use of the school district and the school district shall lease the same from the nonprofit corporation at a stated rental payable only out of the proceeds of the gate receipts and rentals for the use of such facilities with the right in the school district to renew such lease at stated periods at a stipulated rental and at any time during the continuance of the lease to purchase the improvements from the nonprofit corporation at a stipulated price no such contract of lease and release shall be entered into until the entire project has been submitted to and approved by the department of public instruction in writing such approval shall include specifically (1) approval of purpose for which improvement is intended (2) total cost of improvement (3) amount of rental (4) period of time for amortization and (5) a stipulation that no money of the school district other than that received from gate receipts and rentals for the use of the improvements shall be used in making any payment of rental or purchase price upon completion of the improvements the school district shall take over and operate the same and shall collect all gate receipts and entrance fees and all rentals for the use of the improvements and shall keep the same in a separate fund apart from all other moneys of the school district such fund until title to the improvements has been obtained by the school district shall be used only for the maintenance and operation of the stadium and other improvements and for the payment of rentals and purchase price of such improvements

Amend Section 2, page 6, by inserting the following: Section 2 the provisions of his act shall become effective immediately upon final enactment

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith. C. C.,
Bloom,	Greenwood,	Mills,	Smith. C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Na'...',	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hors,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnstor,	Orban,	Upskur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Pean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,

Dlx.	Kurtz,	Reese, D. P.	Weiss,
Dye,	Laughner.	Reese, R. E.	Wescott
Efenberg.	Layer.	Reilly, J. M.	West.
Elder	Lee.	Reilly, W. J.	Wheeler
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood.
Ewing,	Livingstone,	Robbins,	Worley
Feola,	Loftus,	Robertson	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fliss,	Lyons,	Rose,	Yetzer.
Flack,	Madden.	Rowen	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter
For	Mazza,	Sarraf.	Speaker

NAYS—0

NOT VOTING—2

McCormack. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1216.

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Article 2, page 22, line 12, by inserting after the word "(application)" the word "petition"; page 23, line 16, by inserting after the word "(application)" the word "petition";

Amend Article X, page 101, line 7, by striking out the bracket before the word "The"; line 8, by striking out the bracket after the word "councilmen" and by striking out the remainder of the line and by striking out lines 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 inclusive; page 102 by striking out lines 1, through 6 inclusive and by striking out the following words in line 7; "meeting of council during the month"; page 146, line 5, by inserting after the word "(five)" the word "eight"; line 3, by striking out the bracket before the word "In"; line 8, by inserting the word "fifteen" at the beginning of the line; line 10, by inserting after the word "thousand" the words "two hundred"; line 12, by striking out the brackets around the words "not exceed"; line 13, by inserting after the word "fifty)" the words "one thousand"; line 17, by striking out the bracket before the word "not"; line 18, by striking out the bracket before the word "(three)" and by inserting immediately thereafter the word "five"; and by striking out the remainder of line 18, after the word "dollars"; page 147, by striking out lines 1 through 9 inclusive;

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 207.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of non-payment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

HOUSE BILL No. 1178.

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

RECALLING HOUSE BILL No. 477 FROM GOVERNOR

Mr. SORG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 10, 1947.

Resolved (if the Senate concur), that House Bill No. 477, Printer's No. 775, entitled "An act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended 'An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties' authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies and association of individuals for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and pro-

viding for the disposition of unexpended funds," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. VAUGHAN from the Committee on Liquor Control, reported as committed, House Bill No. 1150, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

BILL ON FIRST READING

The following bill was read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1150, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

COMMITTEE MEETINGS

Appropriations, Room No. 246, Wednesday, June 11, 1947, at 11 a. m., D. S. T.

Education, Room No. 324, Wednesday, June 11, 1947, at 12 o'clock noon, D. S. T.

Fisheries, Room No. 331, Wednesday, June 11, 1947, at 11 a. m., D. S. T.

Judiciary, Room No. 438, Wednesday, June 11, 1947, at 11 a. m., D. S. T.

Law and Order, Room No. 325, Wednesday, June 11, 1947, at 9 a. m., D. S. T.

Liquor Control, Room No. 325, Wednesday, June 11, 1947, at 11 a. m., D. S. T.

Public Utilities, Room No. 323, Wednesday, June 11, 1947, at 10:45 a. m., D. S. T.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 11, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 6:58 p. m.) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., WEDNESDAY, JUNE 11, 1947.

No. 73.

SENATE

WEDNESDAY, June 11, 1947

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost. Let us pray.

The earth is the Lord's and the fullness thereof; the world and they that dwell therein, for He hath founded it upon the seas and established it upon the floods. Who shall ascend into the hill of the Lord and who shall stand in His holy place? He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity nor sworn deceitfully. Let the words of our mouth and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our redeemer. In the name of Him whose Name is above every other name, we pray. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. LORD, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 11, 1947.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 11, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Kathryn M. Anderson, Pittsburgh, c/o Crawford Grill No 2, 2141 Wylie Ave.

Mrs. Evelyn D. Crummy, Penn Typ., 9624 Emerson St., Pittsburgh (21).

William Douglass, Munhall.

Robert R. Work, Pittsburgh, 406 Peoples East End Bldg.

BERKS COUNTY

Mrs. Ethyl P. Diller. Reading.

DAUPHIN COUNTY

Wm. D. Gillespie, East Hanover Twp., R. D. 1, Grantville.
Mrs. Elizabeth W. Guthrie, Harrisburg.

LACKAWANNA COUNTY

Harold Jacobson. Scranton.

LYCOMING COUNTY

W. Howard Hartman, Williamsport.

PHILADELPHIA COUNTY

Wm. P. Mahoney, Phila., 1700 Walnut St.
Miss Jean M. Mullen, Phila., 935 Public Ledger Bldg.
George Ovington, Jr., Phila., 818 Real Estate Trust Bldg.

Miss Dorothy M. Zingaro, Phila., 336 N. Broad St. (2)

SUSQUEHANNA COUNTY

Mrs. Romaine F. Washburn, Clifford Twp., Clifford.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. WAGNER.

That the Senate do advise and consent to said nominations.

On the question.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 78,
PRINTER'S No. 338

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 78, Printer's No. 338, entitled "An Act to further amend clauses (k) (s) and (y) of section four and to reenact and further amend section three hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' providing for modification of the manner in which employer contribution rates are determined and for a lag between the period on which contribution rates are based and the rate period and placing experience rating on a permanent basis."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 100,
PRINTER'S No. 301

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 100, Printer's No. 301, entitled "An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions' by further regulating the administration and payment of such pensions in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 217,
PRINTER'S No. 320

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 217, Printer's No. 320, entitled "An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled 'An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation' providing a uniform method of condemnation and payment of damages in boroughs and cities."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 220,
PRINTER'S No. 40

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 220, Printer's No. 40, entitled "An Act to further amend sections twelve thirteen and fourteen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation' by extending the time for payment of the tax without interest in certain cases staying execution of certain liens in certain cases and requiring the board to issue certificates of credit for overpayment in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 233,
PRINTER'S No. 299

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 233, Printer's No. 299, entitled "An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 253,
PRINTER'S No. 255

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 253, Printer's No. 255, entitled "An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining 'factor' as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 263,
PRINTER'S No. 199

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 263, Printer's No. 199, entitled "An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled 'An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health' extending requirements as to contents of labels and increasing penalties."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 284,
PRINTER'S No. 353

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 284, Printer's No. 353, entitled "An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled 'An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties' by imposing an additional penalty."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 366,
PRINTER'S No. 131

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 366, Printer's No. 131, entitled "An Act to amend section five of the act

approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled 'An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties' authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 428,
PRINTER'S No. 390

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 428, Printer's No. 390, entitled "An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for co-operation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by expressly excluding from the definition of 'employment' services of certain solicitors agents and salesmen who are compensated on a commission basis."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 434,
PRINTER'S No. 138

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 434, Printer's No. 138, entitled "An Act to further amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled 'An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof' further describing the powers of limited life insurance companies under certain conditions."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 438,
PRINTER'S No. 268

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 438, Printer's No. 268, entitled "An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled

*An act relating to vital statistics and to make uniform the law with reference thereto' by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 448,
PRINTER'S No. 184

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 448, Printer's No. 184, entitled "An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled 'An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court' by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 552,
PRINTER'S No. 189

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 552, Printer's No. 189, entitled "An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 553
PRINTER'S No. 206

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 553, Printer's No. 206, entitled "An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment and collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State Government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State pur-

poses or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' by further imposing penalties in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 554,
PRINTER'S No. 205

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 554, Printer's No. 205, entitled "An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 563,
PRINTER'S No. 167

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 563, Printer's No. 167, entitled "An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by further regulating the notice of meetings required to be given stockholders in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 616,
PRINTER'S No. 302

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 616, Printer's No. 302, entitled "An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' empowering city councils by ordinance to define and penalize disorderly conduct."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 659,
PRINTER'S No. 262

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 659, Printer's No.

262, entitled "An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled 'An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes' by defining 'municipality authority' or 'municipal authority.'"

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 674,
PRINTER'S No. 287

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 674, Printer's No. 287, entitled "An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect or where the acknowledgment was not properly taken."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 675,
PRINTER'S No. 288

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 675, Printer's No. 288, entitled "An Act validating county treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments."

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 321, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 653, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing for a three-platoon system for such members, with certain exceptions; regulating hours of service, hours of rest and annual vacations.

Which was committed to the Committee on Local Government.

House Bill No. 726, entitled:

An Act to amend section two of the act, approved the twelfth day of May, one thousand nine hundred eleven (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class'

approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy collection and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," by fixing a limit for taxes to be levied on real estate.

Which was committed to the Committee on Local Government.

House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "Department of Banking Code," increasing the membership of the banking board and the number of appointments to that board by the Governor.

Which was committed to the Committee on Banking.

House Bill No. 1193, entitled:

An Act authorizing public utility corporations engaged in transmitting electricity, or transporting steam, water, gas, oil, or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such cities.

Which was committed to the Committee on Corporations.

House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of May, one thousand nine hundred forty-seven, (Act No. 102, P. L.), entitled "Soft Drink Tax Law" by designating the nature of the tax, by clarifying the provisions relating to the imposition thereof and by redefining certain terms.

Which was committed to the Committee on Finance.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 477

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 10, 1947.

Resolved, (if the Senate concur), That House bill No. 477, Printer's No. 775, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "Dog Law of 1921" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals, upon petition to and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 7

He also returned to the Senate, Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 102

He also returned to the Senate, Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 136

He also returned to the Senate, Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 235

He also returned to the Senate, Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition, by purchase, condemnation or gift, of lands for the establishment of the Brandywine Battlefield Park; providing for the control, management, and supervision of the property to be acquired for such park by such commission; authorizing the commission to make and to enforce rules and regulations for its preservation, development and visitation; and making appropriations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 241

He also returned to the Senate, Senate Bill No. 241, entitled:

An Act to amend Section 3 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three, (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by making provision concerning the registration or transfer of securities to or by nominees of fiduciaries.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 315

He also returned to the Senate, Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forests and forest land and for the acquisition by purchase condemnation or gift of land buildings or other properties for State parks and for the

development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employees and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 387

He also returned to the Senate, Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 413

He also returned to the Senate, Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 437

He also returned to the Senate, Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 455

He also returned to the Senate, Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 472

He also returned to the Senate, Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the

Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or right of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for experimental and research work relating to the pollution of streams and the prevention thereof," by reducing the amount appropriated by said act.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 496

He also returned to the Senate, Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 558

He also returned to the Senate, Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (Appropriation Acts, page 56) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land, for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings, including a memorial building to honor the memory of William Penn, and other necessary buildings for the State archives, libraries and museum, for the repair, demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension, for the razing of buildings and relocation of water, sewerage, utility lines and other facilities, or payment to the City of Harrisburg for such relocation, and for grading, paving and otherwise developing Capitol Park and the Capitol Park Extension;" by reducing the amount appropriated by said act.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 596

He also returned to the Senate, Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing appropriations for support of tuberculosis sanitaria.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 597

He also returned to the Senate, Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanitaria.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 603

He also returned to the Senate, Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 644

He also returned to the Senate, Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 680

He also returned to the Senate, Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 684

He also returned to the Senate, Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 685

He also returned to the Senate, Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 784

He also returned to the Senate, Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 786

He also returned to the Senate, Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 207

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 207, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims, or the judgments thereon, have been lost and providing for the reinstatement of the liens of such claims and judgments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 874

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," further defining substitutes and regulating their employment; and further providing for reimbursement of School districts employing substitutes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1021

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "Insurance Department Act of 1921," increasing fees for agents' licenses, and imposing a fee for written examinations to applicants for certain licenses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1178

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorized school districts under certain conditions to appropriate money to non-profit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1249

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1278

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

SENATE BILL No. 72, RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service in counties of the second class

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 470, RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 478, RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 478, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchasers and entering into contracts by the Department of Property and Supplies

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 498 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill, No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 513 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three clauses (a) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 545 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 545, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 581 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic, with power to construct, improve and operate projects, and to lease the same; and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 598 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid high-

ways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 736 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10, of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 898 RECALLED
FROM THE GOVERNOR

He also presented for concurrence House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by permitting additional or increased appropriations by first class school districts in certain cases.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1035 RECALLED
FROM THE GOVERNOR

He also presented for concurrence House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1173 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 1173, entitled:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 633

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

The PRESIDENT. The bill will be laid on the table.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1216

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1216, entitled:

An Act to reenact, amend and revise the act, approved the fourth day of May, one thousand nine hundred

twenty-seven (P. L. 519), entitled "General Borough Act."

The PRESIDENT. The bill will be laid on the table.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing, and preventing future silting of the Schuylkill River above Norristown.

Senate Bill No. 7, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

Senate Bill No. 136, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

House Bill No. 207, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of non-payment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commission; and repealing existing laws" by further providing for the investment of funds by domestic societies.

Senate Bill No. 235, entitled:

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition, by purchase condemnation or gift, of lands for the establishment of the Brandywine Battlefield Park; providing for the con-

trol, management, and supervision of the property to be acquired for such park by such commission; authorizing the commission to make and to enforce rules and regulations for its preservation, development and visitation; and making appropriations.

Senate Bill No. 241, entitled:

An Act to amend section 3 of the act approved the thirty-first day of May, one thousand nine hundred and twenty-three, (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by making provisions concerning the registration or transfer of securities to or by nominees of fiduciaries.

House Bill No. 309, entitled:

An Act to further amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid; empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation," appropriating additional funds from the Motor License Fund for the construction of said bridge.

Senate Bill No. 315, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forest and forest land and for the acquisitions by purchase condemnation or gift of land buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employees and expenses of the Flood Control Commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate, or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign in-

surance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof and changing certain capital and surplus requirements.

Senate Bill No. 413, entitled:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Senate Bill No. 472, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land, by purchase or condemnation, the construction and equipment of a State Health Laboratory, the construction of buildings, the improvement, furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital, for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants, and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants, for sealing abandoned coal mines, for stream clearance including the purchase or condemnation of lands, easements, or right of ways, and acquisition or construction of pipes, conduits or tunnels, and pumps and pumping equipment, and for experimental and research work relating to the pollution of streams and the prevention thereof;" by reducing the amount appropriated by said act.

Senate Bill No. 496, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce.

Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (Appropriation Acts, page 56) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land, for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings, including a memorial buildings to honor the memory of William Penn, and other necessary buildings for the State

archives, libraries and museum, for the repair, demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension, for the razing of buildings and relocation of water, sewerage, utility lines and other facilities, or payment to the City of Harrisburg for such relocation, and for grading, paving and otherwise developing Capitol Park and the Capitol Park Extension;" by reducing the amount appropriated by said act.

Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing appropriations for support of tuberculosis sanatoria.

Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria.

Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth.

House Bill No. 643, entitled:

An Act to amend sections four hundred two, four hundred nine, four hundred fifteen, and four hundred nineteen of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law" by increasing the fee for resident and nonresident fur buyers' permits; revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers; and changing penalties.

Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidat-

ing the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provisions for the employment of supervising principals.

Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distiller's licenses.

Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

House Bill No. 873, entitled:

An Act to repeal the act, approved the twenty-eighth day of May, one thousand nine hundred forty-three (P. L. 784), entitled "An act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth; relating to days for school to be in session; closing schools and suspending classes; temporary assignment and reassignment of teachers; extension of transportation facilities; payment of tuition in lieu of transportation; and granting temporary farm and conservation employment certificates for certain pupils, under certain conditions; providing for full state subsidies when employing teachers holding special wartime certificates; authorizing boards of school directors (or boards of public education), subject to the approval of the district or county superintendent, to put such provisions into operation."

House Bill No. 874, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," further defining substitutes and regulating their employment; and further providing for reimbursement of school districts employing substitutes.

House Bill No. 891, entitled:

An Act to amend section eight hundred ten of the act, approved the fourth day of May, one thousand nine hun-

dred twenty-seven (P. L. 519), entitled "General Borough Act," providing for the election and terms of councilmen in cases of invalid elections.

House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "Insurance Department Act of 1921," increasing fees for agents' licenses, and imposing a fee for written examinations to applicants for certain licenses.

House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the definition of "dealer" and adding the definition of "fleet owner"; and further providing for fees for certificates of title.

House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code", authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate; declaring such taxing authority trustee for other taxing authorities, and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania; authorizing the storage of such records in available buildings or the construction of a new building to accommodate them, if necessary; and making an appropriation therefor."

House Bill No. 1283, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," providing that name

registrations shall automatically expire if the registrant has not become incorporated within six months, requiring a statement in the articles that the name registration has been made within such period and providing for re-registration in case of such expiration.

House Bill No. 1332, entitled:

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. HARE, from the Committee on Elections, rereported as committed House Bill No. 275, entitled:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made.

Mr. RAHAUSER, from the Committee on Judiciary General, re-reported as committed, House Bill No. 798, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," providing that chattel mortgages need not be acknowledged nor witnessed.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 198, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean, Potter and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, and May, one thousand nine hundred forty-six, and of carrying out the provisions of existing laws relating thereto.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administration departments boards and commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employees are entitled with pay.

Mr. FRAZIER, from the Committee on Judiciary General, reported as committed, House Bill No. 1210, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases."

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1211, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1392), entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders, regulations, rules, notices, proclamations and similar instruments; imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies; creating the Pennsylvania Register Board, and defining its powers and duties; and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register."

Mr. DENT, from the Committee on Law and Order, reported as amended, Senate Bill No. 814, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by removing certain restrictions for a limited period of time as to the licensing of veterans' organizations.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 1000, entitled:

An Act to further amend section eight and to amend section nine of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of marker, headstones, and flags, and for the completion of war records," authorizing the director of veterans' affairs to join in the formation of a State association, and the payment by such counties of certain expenses in connection therewith.

SENATE BILL No. 633 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and person engaged in selling cemetery plots from the provisions of the act

and move a Committee of Conference on the part of the Senate be appointed.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 633

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. HOMESHER, WADE and KLEIN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 633.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 1216 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 1216.

SENATE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE HOUSE
TO HOUSE BILL No. 1216

Mr. TALLMAN. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1216, entitled:

An Act to reenact, amend and revise the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act."

Mr. BECKER. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. KEPHART and Mr. STEVENSON, That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE PENNSYLVANIA LABOR RELATIONS BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Pennsylvania Labor Relations Board:

Darrell W. Smiley, 12 Byrer Avenue, Uniontown, Fayette County, to serve until June 2, 1953, and until his successor shall have been appointed and qualified.

Malcolm B. Petrikin, Esq., 408 Market Street, Chester, Delaware County, from June 4, 1945, until June 2, 1951, and until his successor shall have been appointed and qualified.

Leo Abernathy, 1281 Bellrock Street, Pittsburgh, Allegheny County, from May 22, 1945, until June 2, 1949, and until his successor shall have been appointed and qualified.

JAMES H. DUFF.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Quentin E. Berkey, Newry, Blair County, for appointment as Justice of the Peace in and for the Borough of Newry, Blair County, until the first Monday of January, 1948, vice Mrs. Ethel Beigle, resigned.

JAMES H. DUFF.

MEMBERS OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 5, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Bradford County Board of Assistance, to serve until December 31, 1949, and until their successors are duly appointed and qualified:

William R. Most (Republican), Canton, vice Mrs. Marion M. Newman, Canton, whose term expired.

Gerald T. Keeney (Republican), vice Mrs. Florence B. Schrier, Athens, whose term expired.

JAMES H. DUFF.

Whereupon,

A motion was made by Mr. KEPHART and Mr. STEVENSON.

That the Senate do advise and consent to the nomination of Darrell W. Smiley, as a Member of the Pennsylvania Labor Relations Board.

On the question,

Will the Senate agree to the motion?

Mr. TARR. Mr. President, I do not at this time want to register the attitude of any other members of the Senate. However, notwithstanding the fact that the nomination of Mr. Smiley, who happens to be a resident of my county, was submitted on the floor of the Senate yesterday, I believe that the procedure in the Senate should be that the Senator from the county in which a nominee resides should be contacted for at least personal approval of the nomination.

I have nothing against Mr. Smiley and I intend to vote for his confirmation. However, I am just calling attention to the fact that the committee chairman has not contacted me nor any other members of this side of the Senate.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Frazier.	Lord.	Tarr.
Becker.	Geltz.	Mahany.	Taylor
Bergy.	Haluska.	Mallerv.	Tyler
Blass.	Hare.	Margie	Wade
Carr.	Heyburn.	Rahauser.	Wagner
Chapman.	Holland.	Rosenfeld	Walker.
Crider.	Homsher	Ruth.	Watson.
Crowe.	Jaspan.	Scarlett.	Wilson.
Dent.	Kephart.	Snowden.	Wolfe.
DiSilvestro.	Klein.	Stevenson.	Wood, L. H.
Doehla.	Lane.	Stiefel.	Wood, T. N.
Donlan.	Leader.	Tallman.	Woodring.
Farrell.	Letzler.		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. KEPHART and Mr. GELTZ.

That the Senate do advise and consent to the nomination of Malcolm B. Petrikin, Esq., as a Member of the Pennsylvania Labor Relations Board.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Frazier,	Lord,	Tarr,
Becker.	Geltz,	Mahany,	Taylor,
Berger,	Habaska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. KEPHART and Mr. GELTZ, That the Senate do advise and consent to the nomination of Leo Abernathy, as a Member of the Pennsylvania Labor Relations Board.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, at this time I would like to state my reasons for voting "no" on this nomination of the Governor. I, in my whole history of politics, never believed in rewarding people for political treason.

This certain gentleman, Mr. Abernathy—I am not speaking now of his personal life; I am speaking about his political life—was rewarded by the then Governor James to this position as a member of the State Labor Relations Board for committing political treason to the party which a year previous had selected him as their candidate for sheriff in the county of Allegheny. I think the man is eminently unqualified for the position we are about to vote on.

Mr. GELTZ. Mr. President, I am sorry that my colleague from Allegheny county made the statement he did, which I think is an unfair statement; he complains, wrongly in my opinion, because he seems to think that the Democratic party has a copyright or a patent or something on anybody who might be interested in the labor movement which, of course, is not so. But that happened some time ago. Mr. Abernathy has been a member of the Labor Board and I have heard no complaint in the whole time he has been serving on that Board as to the way in which he has done that work and I think that is the important thing to be considered; if he handles his position properly, as he has done, I think he should be rewarded by re-appointment.

Mr. DENT. Mr. President, I only take the floor to correct the gentleman from Allegheny, Senator Geltz, who has given the impression that we members of the Democratic party believe that every man who works for labor ought to stay in the Democratic ranks. That is not true, Mr. President, but we do believe this: we believe that the criterion ought not to be a man whose political maneuvering is a qualifying factor in his being appointed to an important state job. There are many men in Western Pennsylvania of both political faiths that uphold the beliefs of their political parties through thick and thin. I have little or no regard for men or women who change

from one party to another for personal gain. The question of whether Mr. Abernathy did that, or not, is one that, of course, is only a matter of opinion. We know that no matter what any Democrat may say about Mr. Abernathy, it never could be as critical or as derogatory as what the Republicans themselves said about Mr. Abernathy when he was the Democratic candidate for sheriff.

However, I am that type of person—and I hope I always will be that type—that can see justice in some things. To my mind, Mr. Abernathy has done a good job in the job that he has been appointed to, but I do not condone the method by which he received his job.

I am voting to day for the confirmation of this man because it is my personal belief that after he was appointed he has performed his job well. I do not, however, under any circumstances want my vote to be considered as a stamp of approval upon any person who, during a political campaign, changes his or her allegiance in order to throw whatever support he may have politically against persons who have been his friends, because they may have within their knowledge certain records or certain information that may destroy their friends in a political campaign, and so I vote for Mr. Abernathy because of the job he has done and not because of the method which was employed for him to get the job.

Mr. BARR. Mr. President, I only wish I had known the gentleman from Allegheny county, Senator Geltz, was going to speak, as I would then have had here a record from the newspapers of things said about Mr. Abernathy by Mr. Geltz's political colleague, the Republican county chairman of Allegheny county, at the time when Mr. Abernathy was candidate for sheriff on the Democratic ticket. Immediately upon his divorce from the Democratic party, I wish to put into the record that the Pittsburgh Central Labor Union removed Mr. Abernathy as the President of the Central Labor Union because they felt, and rightly so, that he had betrayed their movement in the county in which I reside.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Becker,	Farrell,	Mallery,	Tyler,
Berger,	Frazier,	Margle,	Wade,
Blass,	Geltz,	Rosenfeld,	Wagner,
Carr,	Hare,	Ruth,	Walker,
Chapman,	Heyburn,	Scarlett,	Watson,
Crider,	Homsher,	Snowden,	Wilson,
Crowe,	Jaspan,	Stevenson,	Wolfe,
Dent,	Kephart,	Stiefel,	Wood, L. H.,
DiSilvestro,	Letzler,	Tallman,	Wood, T. N.,
Doehla,	Lord,	Taylor,	Woodring,
Donlan,	Mahany,		

NAYS—7

Barr,	Klein,	Leader,	Tarr,
Holland,	Lane,	Rahauser,	

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. KEPHART and Mr. GELTZ, That the Senate do advise and consent to the nomination of Quentin E. Berkey, as Justice of the Peace in and for the Borough of Newery, Blair County, and the nomina-

tions of William R. Most and Gerald T. Keeney, as Members of the Bradford County Board of Assistance.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. TALLMAN. Mr. President, I second the motion. The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WILSON. Mr. President, I ask premission to make a report from the Committee on Constitutional Changes and Federal Relations and the reason I do it is because it should be done at this time and it will only take a moment to explain.

We have every member of the committee in favor of this proposition, which is the second session it has to be passed, and it is known as House Bill No. 957, and it is a proposition that proposes to amend Article 9, Section 4 of the Commonwealth of Pennsylvania, increasing the maximum amount of state debt to supply deficiencies in revenue, and the reason I make this explanation is that it should be taken care of today or tomorrow and there is no opposition anywhere and that is the reason I am making this report.

Mr. WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations, reported as committed, House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, increasing the maximum amount of State debt to supply deficiencies in revenue.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. It there objection? The Chair hears none.

Mr. BECKER, from the Committee on Banking, reported as committed, House Bill No. 817, entitled:

An Act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments; and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating reposessions, redemptions, resales and deficiency judgments, and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties; and repealing certain acts.

He also, from the Committee on Banking, reported as committed, House Bill No. 823, entitled:

An Act to add section eleven point one to the act, approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales and to make uniform the law relating thereto," limiting and regulating liability of goods for subsequent purchases.

He also, from the Committee on Banking, reported as committed, House Bill No. 822, entitled:

An Act to add section four point one to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," limiting and regulating the liability of chattels for subsequent purchases.

He also, from the Committee on Banking, reported as committed, House Bill No. 824, entitled:

An Act limiting and regulating liability of goods, wares and merchandise, purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases.

Mr. DENT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, from the Committee on Law and Order, reported as amended, House Bill No. 1170, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed thereon; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships; for the

abatement of certain nuisances, and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; and repealing existing laws.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess for twenty minutes.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on Banking, reported as committed, House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" increasing the membership of the banking board and the number of appointments to that board by the Governor.

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN from the Committee on Finance reported as committed, House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Com-

monwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by prothonotaries.

He also, from the Committee on Finance reported as committed, House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law.

He also, from the Committee on Finance, reported as committed, House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L.) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottle soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidence the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" by designating the nature of the tax by clarifying the provisions relating to the imposition thereof and by redefining certain terms.

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as amended House Bill No. 800, entitled:

An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns school districts of the second class school district of the third class and school districts of the fourth class to levy assess and collector to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on State Government, reported as committed, House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War

II temporary emergency housing accommodations empowering them to acquire by purchase gift or eminent domain certain dwelling and other structures providing for their organization and the exercise of their powers and duties including the borrowing of money issuing bonds and other obligations the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended, House Bill No. 302, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employes because of illness or other causes

SENATE CONCURRENT RESOLUTION

SENATE BILL No. 569, PRINTER'S No. 343, RECALLED FROM THE GOVERNOR

Mr. TALLMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 11, 1947.

Resolved (If the House of Representatives concur) that Senate Bill No. 569, Printer's No. 343, entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 33, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars (\$200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to and the development of the Delaware Division of the Pennsylvania Canal including the reconstruction and repair of aqueducts bridges and locks forming a part of said canal and for the maintenance of the same

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 33

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 33.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Report of a Committee of Conference on House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the powers to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation

thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

go over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 92, as follows:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases and repealing inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the fees of justices of the peace and aldermen including all fees in vagrancy cases shall be as follows to wit For

Information or complaint on behalf of the Commonwealth one defendant [seventy-five cents] one dollar

Warrant or capias on behalf of the Commonwealth one defendant seventy-five cents

Each additional defendant named on information or warrant ten cents

Docket entry of action in behalf of the Commonwealth seventy-five cents

Hearing in each criminal case each day occupied or fraction of day one dollar and fifty cents

Administering oaths in criminal cases [ten] fifteen cents

Docket entry of confession or plea of guilty in criminal cases seventy-five cents

Making docket entry of testimony in cases of summary conviction each witness [fifty] seventy-five cents

Taking bail for a hearing or for appearance at quarter sessions each defendant [seventy-five cents] one dollar

Entering judgment on conviction for fine seventy-five cents

Recording conviction fifty cents

Recording sentence fifty cents

Warrant to levy fine of forfeiture seventy-five cents

Bail-piece and return one dollar

Commitment of each defendant [seventy-five cents] one dollar

Discharge to jailor seventy-five cents

Entering discontinuance in criminal cases fifty cents

Entering continuance in criminal cases fifty cents

Transcript and certificate for any purpose to any one in criminal cases one dollar fifty cents

In all cases of summary convictions relating to the use and operation of motor vehicles and suits for penalties relating to the use and operation of motor vehicles whether under statute or ordinance the total fee shall be [two dollars and twenty-five cents] three dollars and fifty cents which shall include cost of postage of registered mail which shall include the giving of a transcript to either the defendant or prosecutor or both if same be requested

In all cases of summary convictions in which the evidence is not sufficient to convict and the defendant dismissed the costs of the suit shall be paid by the county

In all cases of summary convictions in which the defendant is convicted and sentenced to jail in default of payment of the fine and costs imposed the costs of prosecution shall be paid by the county

Entering actions in civil cases [fifty] seventy-five cents
Issuing summons fifty cents

Issuing an attested copy of summons in civil or criminal case fifty cents

Each additional name after the first on summons subpoena or capias ten cents

Capias in civil case [seventy-five cents] one dollar

Entering return on summons capias attachment or similar writ [fifty] seventy-five cents

Subpoena or subpoena duces tecum in criminal or civil case fifty cents

Qualifying constable to return [twenty-five] fifty cents

Entering bail on capias or when bail is required in any civil action [seventy-five cents] one dollar

Every continuance of suit [thirty] fifty cents

Trial and judgment in civil case one dollar and fifty cents

Administering oath in civil case [ten] fifteen cents

Entering satisfaction in civil case [thirty] forty cents

Entering discontinuance of civil cases [thirty] forty cents

Entering amicable suit or confession of judgment [seventy-five cents] one dollar

Entering rule to take deposition of witnesses [fifty cents] seventy-five cents

Interrogatories attached to rule [fifty] seventy-five cents

Entering return of rule to take depositions or rule to refer [fifty] seventy-five cents

Issuing rule of reference [fifty] seventy-five cents

Notice to each referee and each copy [fifty] seventy-five cents

Entering report of reference and judgment thereon [seventy-five cents] one dollar

Written notice in any case [fifty] seventy-five cents

Execution and return [seventy-five cents] one dollar

Scire facias [fifty] seventy-five cents

Return on scire facias [fifty] seventy-five cents

Opening judgment for rehearing of any case [fifty cents] seventy-five cents

Making transcript of judgment and certificate one dollar fifty cents

Return of proceedings on appeals or certiorari including affidavit bail and certificate two dollars and fifty cents

Receiving the amount of a judgment and paying the same over not over ten dollars [twenty-five] fifty cents

Over ten and not over forty [fifty] seventy-five cents

Over forty and not over sixty seventy-five cents

Over [sixty] forty and not over one hundred dollars one dollar

And a like amount on each additional one hundred dollars or fraction thereof

Affidavit in case of attachment [fifty] seventy-five cents

Entering action in case of attachment [fifty] seventy-five cents

Attachment and attested copy thereof one dollar

Each additional attested copy of attachment [fifty] seventy-five cents

Each rule on garnishee [fifty] seventy-five cents

Each interrogatories filing and issuing one dollar

Return of rule or of interrogatories [fifty] seventy-five cents

Bond in case of attachment [seventy-five cents] one dollar

Appointing freeholders [fifty] seventy-five cents

Entering complaint in landlord and tenant proceedings one dollar

Issuing process in landlord and tenant proceedings one dollar

Hearing and determining cases in landlord and tenant proceedings one dollar

Recording proceedings in landlord and tenant proceedings one dollar and fifty cents

Writ of possession and return in landlord and tenant proceedings one dollar

Order to sell goods in any case [fifty] seventy-five cents
 Issuing venire to summon jury making return one dollar
 Holding trial by jury and entering judgment two dollars
 Information of strays taken up [fifty] seventy-five cents
 Warrant to freeholders to appraise damage [fifty] seventy-five cents

Receiving and entering return of appraisers and judgment thereon [seventy-five cents] one dollar

Publishing proceedings of appraisers not including cost of printing [fifty] seventy-five cents

Order for relief of pauper [seventy-five cents] one dollar

Order for removal of pauper [seventy-five cents] one dollar

Order to seize goods for the maintenance of wife or children [seventy-five cents] one dollar

Order for premium for wolf fox or other scalps each scalp to be paid by county [fifty] seventy-five cents

Entering transcript of judgment from another justice or alderman [seventy-five cents] one dollar

Every acknowledgment of deed or other instrument of writing first name fifty cents

Each additional name after the first twenty-five cents

Certificate to obtain land warrant one dollar

Marrying each couple making record thereof and certificate to the parties five dollars

Swearing and affirming county township or other public officer each officer [fifty] cents

Probating accounts [seventy-five cents] one dollar

Writing affidavits or affirmations one dollar

Each copy of claim in civil suit under law of one thousand and eight hundred and seventy-nine [seventy-five cents] one dollar

Affidavit of defense in such case [seventy-five cents] one dollar

The fees for service under the laws of the United States shall be as follows

For certificate of protection [fifty] seventy-five cents

For certificate of lost protection [twenty-five] fifty cents

Warrant [twenty-five] fifty cents

Commitment [twenty-five] fifty cents

Summons for seamen in admiralty case [twenty-five] fifty cents

Hearing thereon with docket entry [fifty] seventy-five cents

For certificate to clerk of the district court to issue admiralty process [twenty-five] fifty cents

For affidavit of claims and copies thereof one dollar

Affidavit of defense [seventy-five cents] one dollar

The fees for services not herein specially provided shall be the same as for similar services

Section 2 The act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 88) entitled "An act regulating the fees of justices of the peace magistrates and aldermen in cases where persons are charged with vagrancy" is hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 454, as follows:

An Act to amend the heading of Article III and to amend or further amend sections three hundred two three hundred three and three hundred five three hundred six three hundred seven three hundred eight three hundred nine three hundred ten three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred eighteen three hundred nineteen and three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident and nonresident licenses and fees fixing a termination date for the issuance of free resident licenses to military personnel changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The heading of Article III of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Hunting and Trapping Licenses

Section 2 Section three hundred two of said act as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 159) is hereby amended to read as follows

Section 302 Resident License [Fee] Fees Except as otherwise provided in the Game Law each such resident as [provided] designated in the preceding section upon application made in writing to any agent authorized to issue such licenses within the Commonwealth the presentation of proof that his is a citizen of the United States and a bonafide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers unless any such person has been disqualified for a license in the manner hereinafter specified and the payment to said agent or the Department of Revenue of two dollars (\$2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for wild birds and wild animals which may legally be hunted or trapped in this Commonwealth [except as otherwise provided] until the close of the license year ending the thirtieth day of September one thousand nine hundred forty-eight Licenses valid for use thereafter by residents shall be of the following kinds and fees

(a) Small game hunter's license which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in the

Commonwealth except those animals classed as big game two dollars and ten cents (\$2.10)

(b) Big game hunter's license which shall entitle the holder to hunt only for animals classed as big game but including the right to hunt or kill birds and animals classed as predators through the use of a lawful firearm or bow and arrow but not to trap two dollars and ten cents (\$2.10)

(c) Combination hunter's license which shall entitle the holder to hunt or trap for all birds or animals covered by the separate licenses enumerated in paragraphs (a) and (b) above three dollars and ten cents (\$3.10)

For the duration of the present war but not beyond the thirtieth day of September one thousand nine hundred and fortyeight any person with the above qualifications who is in service with the Armed Forces of the United States or any of its Allies shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

Section 3 Section three hundred three of said act is hereby amended to read as follows

Section 303 Nonresident and Alien Nonresident License Fees [Every nonresident of this Commonwealth] Except as otherwise provided every nonresident of this Commonwealth who desires a license valid for use after the thirtieth day of September one thousand nine hundred forty-seven upon application made in writing to any agent authorized to issue such licenses or to the Department of Revenue and the presentation of proof that he is a citizen of the United States unless any such person has been disqualified for a license in the manner hereinafter specified [and upon payment to said agent or commission of fifteen dollars (\$15.00) shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided] shall be entitled to any of the licenses below specified and the tag or tags bearing numbers corresponding therewith upon payment of the fees indicated to said agent or department

(a) Nonresident Small Game License which shall entitle the holder to hunt for all wild birds or wild animals which may legally be hunted in this Commonwealth except those classed as big game but not to trap ten dollars (\$10.00)

(b) Nonresident Big Game License which shall entitle the holder to hunt only for animals classed as big game but including the right to hunt or kill birds and animals classed as predators through the use of a lawful firearm or a bow and arrow but not to trap fifteen dollars

(c) Nonresident Trapper's License which shall entitle the holder to take through the use of traps or deadfalls only wild birds and wild animals which may legally be trapped in this Commonwealth except beaver twenty-five dollars (\$25.00) Nothing in this clause shall be construed to prohibit the holder of a Nonresident Trapper's License from using a side-arm or a rifle not large than a .22 rimfire calibre to kill legally caught birds and animals

Every alien nonresident of this Commonwealth who is also a nonresident of the United States upon written application made to the Department of Revenue setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms unless any such person has been disqualified for a license in the manner hereinafter specified and upon the payment to the Department of Revenue of the fees above designated for nonresidents shall be entitled to [a nonresident hunter's license] any or all of the nonresident licenses hereinbefore enumerated and the proper tag issued therewith but the Department of

Revenue shall indicate on the face of the license that the holder is an alien nonresident

Section 4 Section three hundred five of said act is hereby amended to read as follows

Section 305 License Issuance Supervision The issuance of all hunting and trapping licenses shall be under the direct supervision of the Department of Revenue which shall designate the several county treasurers and such other issuing agents throughout the Commonwealth or otherwise as it may find essential to control the lawful issuance thereof The Department of Revenue may recall the appointment of any county treasurer or other agent at any time with or without cause and shall recall the appointment of any county treasurer or other agent upon receipt of evidence that such county treasurer or other agent has not complied with the requirements of this act or upon receipt of a recommendation from the commission that such county treasurer or other agent be recalled because of carelessness or negligence in the issuance of licenses

It is unlawful for any issuing agent or any of his employees or representatives or the Department of Revenue or its employees to issue any licenses to hunt or trap to any applicant or for any justice of the peace magistrate notary public or other agent authorized to receive applications to accept an application for such license from any applicant who has not established satisfactory identification as hereinbefore required or to any person physically or mentally unfitted to carry or use firearms or who has been denied the right to secure a license in any manner hereinafter specified by revocation

Section 5 Section three hundred six of said act is hereby amended to read as follows

Section 306 The License Certificate Said licenses shall be issued on a form prepared and supplied by the Department of Revenue Such licenses shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Department of Revenue may require with the date of its issue In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers

All licenses legally issued shall authorize the person therein to hunt for and kill or trap wild animals or wild birds as specified on the license subject to the restrictions and requirements of existing laws and the regulations of the commission regarding close seasons additional hunting or trapping removal of protection or special deer seasons during the period for which the license is issued the date of which is inscribed thereon Said certificate before being valid must be countersigned in ink by the licensee

The license certificate issued with any [hunter's] license shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by an employee or representative of such owner or lessee upon whose lands such person may be found In addition to showing the license certificate upon demand by any such officer the holder thereof shall upon demand establish his further identity to the satisfaction of said officer by producing some other positive means of identification

Section 6 Section three hundred seven of said act is hereby amended to read as follows

Section 307 License Period All licenses shall be issued for the year beginning the first day of [September] October and ending the [thirtieth day of August] thirtieth day of September of the year following in all cases however application for such license may be made and a license issued prior to the date upon which such license is in force

All licenses distributed for the year expiring the thirtieth day of August one thousand nine hundred forty-seven are hereby declared valid to the thirtieth day of September next following and all licenses in the process

of being printed for the hunting season of one thousand nine hundred forty-seven shall be valid to the thirtieth day of September next following regardless of the expiration date that may be printed thereon if any future year due to unavoidable conditions the distribution of licenses and tags is delayed the Secretary of Revenue and the Director acting jointly may extend the period during which licenses previously distributed or issued shall be valid

Section 7 Section three hundred eight of said act is hereby amended to read as follows

Section 308 License Tag The Department of Revenue shall also furnish free of charge and there shall be issued with each license a tag as hereinbefore specified All license tags shall bear the license number in figures at least one inch in height which tag said licensee is required to attach and display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all time while hunting or trapping [The license tag for the current year only shall be displayed] Only the tag issued with the license then being used and for the current year only shall be displayed

[The tag or button issued with complimentary non-resident licenses shall be of such size and form as the commission may determine which tag or button the licensee is required to wear in plain view on an outer garment at all times while using it in such a manner that the tag or button and the numerals thereon are plainly visible]

Section 8 Section three hundred nine of said act is hereby amended to read as follows

Section 309 Persons Authorized to Take Applications for Licenses It is lawful for any justice of the peace magistrate or notary public who is not also an authorized agent of the Department of Revenue to issue licenses to take applications for such licenses in writing for which service the applicant shall pay not to exceed fifteen cents in addition to the license fee prescribed said amount to be retained by said official or agent as his fee for taking application and remitting payment therefor to [the] any issuing agency of the county in which said official is located or to the Department of Revenue Such application and remittance shall be forwarded to the issuing agency or to the Department of Revenue within twenty-four hours with a certification thereon that the applicant has properly established his identity by producing a bank book letters lodge cards police cards a motor vehicle driver's license or by some other positive means of identification

Section 9 Section three hundred ten of said act as last amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 39) is hereby amended to read as follows

Section 310 Issuing Agents to Keep Record and Make Report Each issuing agency of this Commonwealth shall keep a correct and complete record of all resident and nonresident hunters' or trappers' licenses issued by him Each issuing agent other than a county treasurer shall within five (5) days after the close of each month forward a monthly report to the Department of Revenue on blanks furnished to him a complete list of licenses granted during the previous month in correct numerical sequence with names and addresses of licensees and such other information and data as the Department of Revenue may require A duplicate copy of said report shall be forwarded to the director and a triplicate copy of the report shall be retained in the office of the issuing agent which shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth or to any landowner or his representative to any representative of the Department of Revenue or to any representative of the Department of Auditor General

Section 10 Section three hundred eleven of said act as last amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 39) is hereby amended to read as follows

Section 311 Agents to Collect and Remit License Fees Reports Compensation The agents designated by the Department of Revenue for the collection of said license fees for their services rendered in collecting and paying over the same shall as long as they continue to be agents of the Department of Revenue be allowed to retain not to exceed the sum of ten cent from the amount paid for each resident [hunter's] license and not to exceed twenty-five cents from the amount paid for each nonresident [hunter's] license which amount shall be full compensation for services rendered by them under the provisions of this act such compensation to be disposed of by the respective issuing agents as may now or hereafter be provided by law Each issuing agent other than a county treasurer shall remit all balances arising from this source within five days after the end of each month to the State Treasurer through the Department of Revenue upon a form to be supplied by the Department of Revenue which monthly remittance shall be accompanied by a copy of the list of licenses issued during the previous month All such moneys shall be placed in the Game Fund by the State Treasurer

Every agent designated to issue [hunters'] licenses unless already under bond to cover the handling of public funds shall give bond to the Commonwealth in such sum as shall be fixed by the Secretary of Revenue but not less than one thousand dollars (\$1000) nor more than three thousand dollars (\$3000) for each place where licenses are issued before the annual supply of licenses is delivered to him If an agent has more than one place where licenses are issued he may supply a blanket bond covering all places

Any issuing agent who shall fail to comply with any of the provisions of this act relating to [hunter's] licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth by suit in the same manner as like amounts are now by law recoverable

Section 11 Section three hundred twelve of said act is hereby amended to read as follows

Section 312 Replacement of Lost Licenses and Tags Any holder of a [hunter's] license who shall lose either the license or the tag issued therewith or both the license and tag upon application to the Department of Revenue or other agent who issued the same accompanied by a sworn statement setting forth the pertinent facts relative thereto and the remaining portion if any of the original and the payment of one dollar shall be entitled to a new license and tag of the same kind and value as the original

The issuing agent shall indicate on the face of the license so issued also on the stub or carbon copy thereof that it is a replacement with the number of the original license The affidavit so filed and any remaining portion of the original license also shall be fastened to the stub or carbon copy of the replacement license for the information of the auditors

For such services the Department of Revenue may authorize any issuing agent to retain not to exceed the sum of ten cents and remit the balance of the replacement license fee as hereinbefore provided

Section 12 Section three hundred thirteen of said act is hereby amended to read as follows

Section 313 Power to Administer Oaths Each agent who may be authorized or designated by the Department of Revenue to issue [hunting] licenses and each agent who may be authorized or designated by the Department of Revenue to receive applications for such licenses in accordance with the provisions of this act is hereby empowered to administer any oath that may be required in connection with the issuance of such licenses or receiving applications therefor

Section 13 Section three hundred fourteen of said act is hereby amended to read as follows

Section 314 Seizure of Licenses and Tags Any regular salaried officer of the Commission is hereby empowered except where birds or animals are killed by mistake

and reported as hereinafter required seize [the hunting] any license and the tag issued therewith of any person apprehended in the act of violating any game law or any rules or regulations of the commission and who has either been convicted or signed an acknowledgement of violating any game law or rules or regulations of the commission or if such licensee is found using firearms to hunt or trap while under the influence of intoxicating liquor or narcotics or is otherwise physically incapacitated to handle firearms safely

All licenses so seized shall within twenty-four hours be forwarded to the division game supervisor for transmittal to the office of the commission with a report relative thereto. The director may upon application of the owner return the license and tag to the owner if he is satisfied that the license should not be recommended to the commission for revocation in the manner hereinafter stipulated.

Section 14 Section three hundred fifteen of said act is hereby amended to read as follows

Section 315 Revocation of Licenses Right to Hunt or Trap Denied (1) The commission may revoke any [hunter's] license and deny any person the right to secure license or to hunt or trap anywhere in this Commonwealth with or without a license if said licensee or person has either been convicted pleaded guilty entered a plea of nolo contendere or signed an acknowledgment of violating any provision of this act or if such person has been adjudged guilty in the manner hereinafter provided of any of the acts enumerated below for such periods as hereinafter specified

(2) Whether or not legal proceedings have been taken for the arrest and conviction of the offender the director through a referee appointed by him shall have authority to hold a hearing and shall have the power to subpoena witnesses expert and otherwise to administer oaths and to require and receive sworn or affirmed written statements in any case where any person who according to information received while hunting or trapping is alleged

(a) To have been guilty of mutilating or carrying away notices posted by the Commonwealth

(b) To have done damage to real or personal property of any kind

(c) To have caused a forest fire

(d) To have been found under the influence of intoxicating liquor or narcotic drugs while carrying or using firearms or a bow and arrow

(e) To have committed an assault upon a landowner or lessee or employee of such landowner or lessee

(f) To have injured a human being by gunfire or with a bow and arrow

(g) To have inflicted an injury upon himself or otherwise been guilty of carelessness or negligence with firearms or with bow and arrow

(h) To have upon request failed or refused to render assistance where any person was injured in a hunting or trapping accident

(i) To have caused such an accident and fled or failed to render assistance in a hunting or trapping accident

(j) To have violated any other safety provision of this act not specifically above designated

(k) To be mentally or physically incapable of handling firearms safely to hunt or trap

The person so called be given written notice by registered mail addressed to his last known post office address or by personal service upon him stating the time and place of such hearing and shall have the right to appear and to testify or to present witnesses and evidence in his own behalf

Any person who shall be subpoenaed before such referee and shall fail to appear before him without furnishing satisfactory reason for failure to do so or any person who shall appear and furnish false testimony shall likewise be subject to the penalties hereinafter provided

In all such hearings the duly authorized referee shall submit to the commission through the director a certified stenographic transcript or a resume thereof together with the findings of facts and recommendations and upon such

findings the commission is hereby authorized to revoke the license of the offender and to deny him the right to hunt or trap within this Commonwealth with or without a license for the periods hereinafter provided

(3) Such license revocations shall be for the following periods

(a) For the first offense any person convicted or having signed an acknowledgment of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed two years. Any person convicted or having signed an acknowledgment of a second or subsequent offense of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not less than two or more than three years. For the third offense of violating any of the provision of this act such person shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for such period as the commission shall determine

(b) For the first offense any person who shall have been convicted or adjudged guilty after a hearing as hereinbefore provided of any act enumerated in clause two of this section may be denied the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed [five] ten years. Any person convicted or having been adjudged guilty after a hearing as hereinbefore provided of a second or subsequent offense of any of the above-mentioned provisions [shall] may be denied the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed ten years and in addition thereto shall be subject to such other penalties as may be provided in this act

(c) Any court of record having jurisdiction in any case coming before it involving any of the offenses contained in this section shall have authority to revoke [hunter's] license and to deny the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for the several periods herein indicated. Certified notice of such revocation shall be submitted to the commission within thirty (30) days following such order

(4) Any person who shall be convicted or denied the right to secure a license or to hunt or trap in this Commonwealth with or without a license where personal injury has resulted shall furnish satisfactory proof to the Commission that all hospital [and] medical [bills] and funeral expense have been satisfactorily adjusted before such license shall be restored

(5) To revoke a license then in force or to deny any person the right to secure a license or to hunt or trap anywhere in this Commonwealth for any period the commission shall send a written notice to that effect to such person at his last known address either by registered mail or have it delivered in person by a representative of the commission. The commission shall furnish in writing to the Department of Revenue and its license issuing agents the name address and the term for which such person has been denied the right to secure a license or to hunt or trap in this Commonwealth

(6) Any person whose license has been revoked by the commission for any of the aforesaid offenses pursuant to a hearing before a referee of the commission shall have the right to file a petition within thirty (30) days after being notified of such revocation for a review of the matter in the court of common pleas of Dauphin County which court is hereby vested with jurisdiction and whose duty it shall be to set the matter down for hearing upon thirty (30) days' written notice to the director and to determine whether the petitioner is subject to revocation of license. The commission when such appeal is taken shall file with the prothonotary a certified record of the complete proceedings in the matter including a certified excerpt of the resolution of the commission. The matter shall be heard by a judge or judges of the court without a jury and the proceedings before the commission and its

referee conducting the investigation shall be given similar weight force and effect as are accorded to the findings and reports of a referee selected or appointed under the provisions of the act approved the fourteenth day of May one thousand eight hundred and seventy-four entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" and its supplements

Section 15 Section three hundred eighteen of said act is hereby amended to read as follows

Section 318 Prima Facie Evidence of Hunting or Trapping For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting or trapping and shall require him at all times to display [his] the proper license tag for the current year as provided in this article and to show immediately upon demand his resident or non-resident [hunter's] license and tag to any officer whose duty it is to protect the wild animals and birds or to show his license and tag immediately upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found

In all cases of arrest for violation of any of the provisions of this section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation and satisfactory proof of his innocence shall rebut what is termed "prima facie evidence" in this section

Section 16 Section three hundred nineteen of said act is hereby amended to read as follows

Section 319 Deposit and Return of Penalties Any person displaying his license tag properly but unable to produce immediately upon demand his [hunter's] license may at once sign a proper acknowledgment and deposit with the officer accosting him the fine of stipulated in this article for hunting or trapping without a license for which such officer shall give an official receipt Such fine shall as soon as possible be forwarded by the officer in question to the commission with a report covering the case If the defendant desires a return of a fine so paid he shall file at the office of said commission at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said commission if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise it shall be deposited as hereinafter provided and the case considered closed

Section 17 Section three hundred twenty-one of said act as repealed in part by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 98) is hereby amended to read as follows

Section 321 Penalties Any nonresident of this Commonwealth who shall hunt chase trap shoot at wound or kill or attempt to hunt chase trap take shoot at wound kill or have in possession any wild birds or animals without a proper nonresident [hunting] license having been lawfully issued to him shall be sentenced to pay a fine of [fifty] one hundred dollars and costs of prosecution for each offense and each day shall be considered a separate offense

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of one dollar and costs of prosecution

[Any licensee who shall fail to submit to the commission the report of game birds or animals or fur-bearing animals as required by this act shall be sentenced to pay a fine of two dollars and costs of prosecution]

Any person who violates any of the provisions of this article except as above provided shall upon conviction be

sentenced to pay a fine of twenty dollars and costs of prosecution for each offense Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or by this act and each day shall be considered a separate offense

(b) Securing a [hunter's] license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while hunting or trapping shall upon conviction in addition to the penalties provided be sentenced to suffer imprisonment for a period of thirty (30) days

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Becker;	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 983, on final passage, entitled:

An Act to further amend clause (a) of section four hundred fifteen and clause (A) of section six hundred twenty-one point one of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing

penalties; and repealing existing laws," changing the definition of group life insurance and further defining group accident and health insurance.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1214, as follows:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A Supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" is hereby amended to read as follows

A Supplement to the twenty-fourth section of an act entitled "An Act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth

Section 2 Section two of said act as last amended by the act approved the thirtieth day of April one thousand nine hundred thirty-five (P. L. 122) is hereby further amended to read as follows

Section 2 On and after the first day of January one thousand nine hundred and nineteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities towns townships and boroughs within the Commonwealth the entire net amount received from the two per centum tax paid upon premiums by foreign fire insurance companies The amount to be paid to each of the treasurers of the several cities towns townships and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities towns townships or boroughs and shall be proportionate to the premiums received by such companies on account of insurance written upon property located in such city borough town or township

as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund association of the fire department or of such fire company or fire companies paid or volunteer now existing or hereafter organized in such city borough town or township as is or are engaged in the service of such city borough town or township and duly recognized as such by the council or commissioners or supervisors as the case may be of such city borough town or township In any borough town or township in which there is no fire department or fire company or companies the amount received by the treasurer of the borough town or township from said tax shall be forthwith paid to the relief fund association of the fire department or fire company or companies of any near or adjacent city borough town or township the fire department or fire company or companies of which afford fire protection to the inhabitants of such borough town or township Before payment of said tax to the treasurer of any such borough town or township the burgess in boroughs and the secretary of the board of supervisors in towns or townships shall first certify to the Auditor General that the fire department or fire company or companies of such near or adjacent city borough town or township afford fire protection to the inhabitants of such borough town or township Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities towns townships and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same all such fire insurance companies shall instruct their agents to place upon the said policies the exact city borough town or township wherein the insured property is located

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 22, as follows:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to war veterans and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Legislative Reference Bureau is hereby authorized and its duty shall be to compile edit and publish a revised pamphlet containing a compilation of the laws of Pennsylvania relating to war veterans A copy of said pamphlet shall be made available to each post camp or chapter in this Commonwealth of the Veterans of Foreign Wars of the United States the American Legion the United States Spanish War Veterans the Grand Army of the Republic the Disabled Veterans of the World War and the American Veterans of World War II (AMVETS) and the Marine Corps League

Said pamphlet shall be completed and available for distribution on or before the first day of March one thousand nine hundred and forty-eight

Section 2 The sum of two thousand dollars (\$2000) or so much thereof as may be necessary is hereby specifically appropriated to the Legislative Reference Bureau to pay the compensation of assistants and all costs and expenses incurred by the bureau in carrying out the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kepbart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 50, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspector of registration and other appointees of registra-

tion commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the provisions of said act relating to removal notices transfer of registration check-up of registers and street lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section twenty-seven of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officer county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing exiting legislation" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 602) is hereby further amended to read as follows

Section 27 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of electors who are registered either in the city or in any borough town or township within the county These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address or the borough town or township and the election district therein from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register for such city or for the borough town or township of his previous residence Each removal notice to be effective must be received at the office of the commission at least [thirty] fifty days prior to any primary or general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years which warning shall also be contained on the removal notice

(d) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than thirty days next preceding the primary or election Provided That any elector who removes his residence from one place to another within the same election district and who has not yet filed a removal

notice with the commission may be permitted to vote at the election or primary next following such removal if at the time of signing the voter's certificate he files with the judge of election a signed removal notice properly filled out. All such removal notices shall be returned to the commission with the voting check list and the commission shall proceed to transfer the registration of such electors in accordance with the provisions of this act.

Section 2 Subsection (a) of section twenty-eight of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 602) is hereby further amended to read as follows:

Section 28 Transfer of Registration (a) Upon receipt not later than the [thirtieth] fiftieth day next preceding any primary or general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to a location in the city from an election district in a borough town or township within the county the commission if it has previously determined by resolution that the personal registration system for the city and the system for the boroughs towns and townships are so set up that registration cards of one system may be used for the other system shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come as filed in the general and district registers of the election district of his previous residence and if the signature shall appear authentic shall enter the change of residence on his registration cards and if the removal shall have been made two months or more next preceding an election or primary shall transfer the registration card of the elector from the general register of the county to the general register of the said city and the registration card from the district register of the election district of his previous residence in the borough town or township to the district register of the election district of his new residence in the city. If such request for transfer shows a removal within the period of two months next preceding an election or primary the commission shall transfer the registration card of the elector from the district registers of his previous residence but shall not include them in the district registers of his new residence in the city until after the election or primary. In any such case the commission shall advise the elector promptly in writing of its action.

Section 3 Subsections (a) and (b) of section thirty-one of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 648) are hereby amended to read as follows:

Section 31 Check-up of Registers

(a) At any time prior to the [thirtieth] fiftieth day next preceding [an] a general election or primary held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission may send by mail to any elector whose name appears in any district register a notice setting forth the electors name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and his name and address as recorded in the original register will constitute ground for challenging his vote. Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon.

(b) At any time prior to the [thirtieth] fiftieth day next preceding [an] a general election or primary held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register.

Section 4 Subsection (a) of section thirty-four of said act as last amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 443) is hereby further amended to read as follows:

Section 34 Street List Posting (a) Commencing not later than the [thirtieth] fiftieth day prior to each primary and general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission shall prepare for each election district a street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers.

(b) The commission shall cause to be made sufficient number of exact copies of each such list and as soon as possible shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of cities interested therein giving at least ten copies of each street list to the county committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its prosecution of election frauds upon the written application purpose or among its purposes the investigation and of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided.

Section 5 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—15

Barr,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,
Holland,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. BARR. Mr. President, I desire to make a brief statement with regard to House Bill No. 50, which just passed.

House Bill 50 provides that in a general election year, an even numbered year, you must change your address fifty days previous to the election. As one who has been interested in politics most of his life, I have found you

can not get the public excited fifty days previous to an election. Heretofor it has always been thirty days and I think this change is rather unfair. I have always thought our system of government was to get more people to vote and this will preclude a number of people from being allowed to vote.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 56, on third reading, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages verdicts and amicable adverse judgments imposing duties on certain county officials and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 60, on third reading, entitled:

An Act making an appropriation to the Philadelphia Committee for Prevention of Blindness, Inc., for the purpose of maintaining services for the control of causes of blindness.

be recommitted to the Committee on Appropriations.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 60, as follows:

An Act to further amend section thirty-nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political

parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 366) is hereby further amended to read as follows

Section 39 Cancellation of Registration Upon Failure to Vote During Two Calendar Years Request for Reinstatement Effect of Removal Notice Within three months after January first of each year except in such years as the commission shall conduct a check of electors in compliance with the clause (c) of section thirty-one of this act the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration or a removal notice properly executed setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided or a removal notice The cancellation of the registration of any such elector for failure to vote during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Such removal notice properly executed shall have the same effect as the request for reinstatement as above provided where failure to vote during two calendar years may cause cancellation of registration Either a removal notice card or request for reinstatement card shall be permitted to be used interchangeably in such circumstances

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 93, as follows:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" which was partly repealed by the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the fees to be charged and received by constables in this Commonwealth shall be as follows

For executing a warrant on behalf of the Commonwealth for each defendant one dollar fifty cents

For conveying defendants except vagrants to jail on mittimus or warrants for each defendant one dollar fifty cents and in addition thereto [the actual costs of transportation of such defendant or defendants] for each mile going and returning ten cents

For arresting persons guilty of a breach of the peace riotous or disorderly conduct drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any ordinance of any borough for the violation of which a fine or penalty is imposed or offending or suspected of offending against the laws of this Commonwealth protecting timberlands or the violation of any other law of this Commonwealth authorizing arrest by constable without process and bringing such offender before a justice of the peace for each defendant one dollar and for every act in or about the arrest or commitment of vagrants one dollar for each vagrant so arrested or arrested and committed and mileage as hereinafter provided

For levying a fine or forfeiture on a warrant fifty cents

For taking the body of a defendant into custody on a mittimus where bail is afterwards entered before delivery of body to the jailer one dollar fifty cents

For executing discharge to jailer one dollar fifty cents

For executing bail-piece one dollar

For executing a search-warrant and making return thereon one dollar

For making returns to the court of quarter sessions two dollars and fifty cents

For serving summons notices on referees suitor or tenant either personally or by leaving copy [fifty cents] seventy-five cents for each person served

for serving subpoena in all cases [fifty cents] seventy five cents for the first witness and twenty-five cents for each additional witness served

For executing attachment [fifty cents] seventy-five cents for each defendant and garnishee served

For arresting on a capias one dollar for each person arrested

For taking bail on a capias or for delivery of goods fifty cents

For notifying plaintiff where defendant has been arrested on capias to be paid by plaintiff twenty-five cents

For serving capias execution one dollar

For executing landlord's warrant one dollar

For taking inventory of goods each item two cents

For levying or distraining goods one dollar fifty cents

For advertising personal property to public sale two dollars and fifty cents

For selling goods levied or distrained one dollar and when the same continues longer than three hours three dollars per day

For clerk hire at said sales when necessary two dollars per day

For watchman taking charge of property levied on when necessary two dollars per day also reasonable expenses of insurance arranging goods for sale heat light storage rent transportation feeding livestock and similar expenses incurred in caring for and keeping goods and chattels levied upon when the same is necessary and advantageous or when requested by the plaintiff or defendant to incur such expense

For receiving and paying over money paid after a levy without sale one dollar and fifty cents

For copy of vendue paper when demanded each item two cents

For putting up notice of distress at mansion-house or at any other place on the premises fifty cents

For serving scire facias either personally or by leaving a copy for each person served fifty cents

For executing order of removal of a pauper or paupers one dollar for each pauper

For making return of nulla bona or non est inventus on any writ fifty cents

For executing writ of restitution two dollars

For executing writ of possession two dollars

For serving summons in landlord and tenant proceedings [fifty cents] one dollar

For taking inventory of goods on an execution each item two cents

For holding appraisal where exemption is claimed by defendant four dollars out of which the constable shall pay to each appraiser one dollar

For traveling expenses in the performance of any duties or service hereinbefore set forth or in the performance of any other duty or service required by law each mile going and returning ten cents to be computed by the route usually traveled in going from points and places where said constables may reside or where he receives any paper to be executed to the points or places required to be traveled whether that route be by highways railroads or otherwise Provided That in no case shall more mileage be demanded or received than for the miles actually traveled

For services not herein specially provided for the same fee may be charged and received as for similar services

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Celtz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 247, on third reading, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 502, as follows:

An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by requiring certain experience as an operator before opening a beauty shop further regulating the eligibility requirements for examinations the right to give home treatments and the proceedings to revoke or suspend licenses and certificates and prescribing additional penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended by adding immediately following section two thereof a new section to read as follows

Section 2.1 Establishment of Beauty Shop Without Certain Experience Prohibited It shall be unlawful for any person to establish operate or maintain a beauty shop for compensation unless he or she shall have had twelve months' experience as a licensed operator under the provisions of this act. Nothing contained in this section however shall apply to or affect any person who upon the effective date of this amendment operates or maintains a beauty shop

Section 2 Section four of said act as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 412) is hereby further amended to read as follows

Section 4 Eligibility Requirements for Examination No person shall be permitted by the department to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has

been registered as a student and has had training as hereinafter provided in this act in a beauty school duly registered by the department or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this act Provided however That the department may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish to the satisfaction of the department that he or she has been an operator in the active practice of beauty culture for at least twenty-four months prior to the date of filing an application for admission to an examination No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age and has had at least eighteen months' experience as an operator in a beauty shop [or] and has had training in a duly registered school of beauty culture of [fifteen] five hundred hours [inclusive] exclusive of the studies necessary to become an operator or five years' experience as an operator in a beauty shop or five years' experience as an operator in a beauty shop

Section 3 Section eight of said act is hereby amended to read as follows

Section 8 Practice in Beauty Shops Only It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop provided that [a registered operator may furnish] any registered operator who has heretofore furnished beauty culture treatments to persons in residences of such persons by appointment may continue to do so without being sponsored by a duly licensed beauty shop but any registered operator not furnishing such home treatments before the effective date of this amendment shall not thereafter furnish beauty culture treatments to persons in residences of such persons by appointment unless sponsored by a duly licensed beauty shop

Section 4 Section thirteen and subsection (a) of section twenty of said act as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 412) are hereby further amended to read as follows

Section 13 Powers and Duties of Department The department shall have the power to refuse revoke or suspend licenses or certificates upon due hearing on proof of violation of any provisions of this act or the rules and regulations established by the department under this act or for gross incompetency or dishonest or unethical practices or for performing beauty culture work on Sunday and shall have the power to require the attendance of witnesses and the production of such books records and papers as it may desire Before any certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so suspended or revoked may on application to the department have the same reissued to him or her upon satisfactory proof that the disqualification has ceased [Before the department may institute any of the above proceedings it shall send a notice in writing to the certificate holder of any alleged violation of this act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated]

Section 20 Penalties (a) Any person who shall practice or teach beauty culture or act in any capacity wherein registration is required without complying with this act shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars (\$50.00) and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days and any person who shall establish operate or maintain a beauty shop in violation of the provisions of this act shall upon conviction in a summary pro-

ceeding be sentenced to pay a fine of twenty-five dollars (\$25.00) Each day of violation shall be construed as a separate offense

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
Dislivestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Wood, L. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 636, as follows:

An Act to further amend section eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings specifications or other data

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations

of the provisions of this act and repealing certain acts" as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 997) is hereby further amended to read as follows

Section 8 Approval of Plans It shall be the duty of the owner architect or contractor of every building or structure as described in this act hereafter erected adapted remodeled or altered to submit to the Department of Labor and Industry for approval architectural drawings specifications or other data showing compliance with the provisions of this act and the rules and regulations of the said department which may be promulgated for the enforcement of the provisions of this act No such building or structure shall be erected adapted remodeled or altered until such plans have been examined and approval given by the Department of Labor and Industry and a building permit obtained in municipalities where such permit is required by ordinance

For making the necessary examination for approval of architectural drawings specifications or other data the department shall make a charge equal to the actual cost of making such examinations not however to exceed the sum of [twenty-five dollars (\$25.00) fifty dollars (\$50) and no such drawings specifications or other data shall be approved until payment is made of the fee charged therefor All fees received by the said department for making such examinations shall be paid into the State Treasury through the Department of Revenue

Any such owner architect or contractor whose drawings or specifications have been submitted to and approved by said department as herein provided may proceed with the erection adapting remodeling or altering of such building or structure without submitting such drawings or specifications to or obtaining the approval of any other department board or agency of the State government

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
Dislivestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 706, on third reading, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and

machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on third reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 332) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities except in certain cases to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 755, as follows:

An Act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All cigarette vending machines loaned to or leased or hired by any person or persons residing within this Commonwealth or any corporation or corporations doing business therein or conditionally sold to any such person persons corporation or corporations under a contract of sale reserving title in the vendor until paid for shall be exempt from levy and sale on execution or distress for rent so long as the title thereto remains in the owner lessor or conditional vendor Provided That such owner lessor or conditional vendor of such cigarette vending machines or the person or persons leasing or hiring the same or to whom they have been delivered under a contract of conditional sale shall give notice to the landlord or his agent within ten days after such vending machines are placed upon the demised premises that the same are loaned leased hired or sold under reservation of title

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 756, as follows:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies with the approval of the Governor to acquire by purchase or condemnation land with or without buildings to erect buildings to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of said lease to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary and providing that land and buildings acquired hereunder shall be exempt from taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contribution based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" is hereby amended to read as follows

Section 201 General Powers and Duties of Department

(a) It shall be the duty of the department to administer and enforce this act through such employment service and public employment offices as have been or may be constituted in accordance with the provisions of this act and existing laws It shall have power and authority to adopt amend and rescind such rules and regulations require such reports from employers employes the board and from any other person deemed by the department to be affected

by this act make such investigations and take such other action as it deems necessary or suitable. Such rules and regulations shall not be inconsistent with the provisions of this act and shall be effective in the manner the department shall prescribe. The department shall submit to the Governor a biennial report covering the administration and operation of this act and shall make such recommendations for amendments to this act as it deems proper.

(b) The department and the Department of Property and Supplies are hereby authorized to acquire land and buildings deemed necessary by the Secretary of Labor and Industry with the approval of the Governor for the administration of this act in accordance with the following provisions of this subsection.

(1) The department through the Secretary of Property and Supplies with the approval of the Governor is hereby authorized to acquire by purchase or condemnation land with or without buildings to erect buildings thereon to purchase fixtures equipment and facilities including such necessary appurtenances as cafeterias and parking accommodations and to make necessary alterations and improvements thereof.

(2) The Secretary of Property and Supplies with the approval of the Governor is authorized to enter into contracts with any person firm or corporation which shall agree to erect on land owned or to be acquired by such person firm or corporation suitable buildings within the Commonwealth at locations acceptable to the Governor and to the department and to agree on behalf of the Commonwealth to lease such land and buildings for a period of not more than fifteen (15) years from the time of the completion of said buildings at such rentals and subject to such terms and conditions as may be agreed upon. No such contract shall be entered into until the plans and specifications for the proposed building shall have been approved by the department and the Department of Property and Supplies. Each such contract and lease shall provide that upon the termination of said lease or upon the sooner payment in full of the total amount specified therein the lessor shall convey to the Commonwealth title in fee simple by general warranty deed to the land and buildings covered under said lease.

(3) The Secretary of Property and Supplies with the approval of the Governor is authorized to enter into contracts with any person firm or corporation which provide (i) for the lease by the Commonwealth to such person firm or corporation of land acquired under the provisions of this subsection. Provided That such lease shall terminate upon payment in full of the total amount specified in the lease executed by said person firm or corporation as lessor as provided under clause (iii) of this paragraph (ii) for the erection on such land by such person firm or corporation of buildings the plans and specifications for which have been approved by the department and the Department of Property and Supplies and (iii) for the leasing by said person firm or corporation to the Commonwealth for a period of not more than fifteen years from the time of completion of said buildings the terms of such lease to provide that upon the termination of said lease or upon the sooner payment in full of the total amount specified therein the lessor shall convey to the Commonwealth all its right title and interest in and to the land and buildings covered under said lease.

(4) The term building as used in this subsection shall include fixtures equipment and facilities including such necessary appurtenances as cafeterias and parking accommodations.

(5) In carrying out the provisions of this subsection the department shall reimburse the Department of Property and Supplies for all services performed in an amount mutually agreed upon by the department and the Secretary of Property and Supplies as representing the actual cost to the Department of Property and Supplies of performing such services.

(6) Space in such buildings shall be primarily utilized by the Bureau of Employment and Unemployment Compensation but any space in excess of the requirements of said Bureau as determined by the department may be allocated to other departments boards and commissions

of the Commonwealth or other bureaus of the department under agreements entered into by the department with the Department of Property and Supplies. All such agreements shall provide for payment from moneys appropriated or otherwise available for such purposes to such departments boards commissions and bureaus to which such space may be allocated into the Special Administration Fund of amounts which shall approximate the fair rental value of such space as mutually agreed upon between the department and the Department of Property and Supplies.

(7) Under a similar agreement entered into by the department with the Department of Property and Supplies the fair rental value of all space in such buildings utilized by the Bureau of Employment and Unemployment Compensation shall be determined and transfer of amounts equal to such rental value from the Administration Fund to the Special Administration Fund are hereby authorized.

(8) In carrying out the provisions of this subsection any moneys, and only such moneys as are or may be placed in the Special Administration Fund may be used.

(9) Any contract for the erection of buildings entered into under the provisions of this subsection shall provide on the face thereof that such contract is made under the provisions of this act that the Commonwealth under such contract shall incur no general liability that such contract shall never become a lien on or secured by any property real personal or mixed of the Commonwealth except to the extent herein expressly authorized and that any obligation incurred under such contract shall be payable solely from funds authorized for such purposes by this act.

(10) As all property acquired under the provisions of this subsection shall be used exclusively for the performance of essential governmental functions no taxes shall be required to be paid or assessments made upon any such property from the time that the Commonwealth actually takes title to such property in the event of outright purchase or from the time that the Commonwealth takes possession of such property under a lease-purchase agreement as provided herein.

Section 2 Section six hundred one point one of said act as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is amended to read as follows:

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund. Under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act may be paid into the Special Administration Fund. Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund. There shall also be deposited in the Special Administration Fund moneys as provided in subsection (b) of section two hundred one of this act. The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Administration Fund and also for the purposes authorized in subsection (b) of section two hundred one of this act. Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act. [But] Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received. The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures. The

moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditure were incurred prior or subsequent to the enactment of this amendment. The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under section three hundred and eleven wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund.

Section 3 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 757, as follows:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section five of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" as last amended by the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 76) is hereby further amended to read as follows:

Section 5 All county officers within the counties to

which this act applies whether elected by the people or appointed according to law and their several deputies and clerks shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each shall respectively belong to the extent (except as hereinafter provided) of the fees collected and paid in by each officer respectively or earned where fees are chargeable upon the county treasury and said salaries shall be paid semi-monthly [on the first and fifteenth days of the month succeeding that in which his services were rendered] or bi-weekly during the month in which his services were rendered at the discretion of the county commissioners of the respective counties but no warrant shall be drawn for the payment of any of said officers his deputies or clerks who shall not have filed the receipt and transcript provided for in this act.

Section 2 Section sixteen of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred one (P. L. 261) is hereby further amended to read as follows:

Section 16 The county solicitor county jailor county commissioners county controllers county surveyor or engineer county detectives county treasurer interpreter of courts district attorney and his assistants shall severally be paid bi-weekly semi-monthly monthly or quarterly at the discretion of the county commissioners of the respective counties and shall be paid the full amount allowed them by law but all fees and emoluments whatsoever that may accrue to either of them by virtue of their respective offices shall be paid by them to the county treasurer as directed by law and all other officers shall be paid the amounts assigned them by law only when the net receipts of their respective offices shall reach the amounts respectively fixed for them.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, as follows:

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability

and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" as last amended by the act approved the twelfth day of June one thousand nine hundred forty-one (P. L. 125) is hereby further amended to read as follows

Section 308 (a) When compensation is awarded because of disability or death caused by silicosis anthraco-silicosis asbestosis or any other occupational disease which developed to the point of disablement only after an exposure of five or more years the compensation for disability or death due to such disease shall be paid jointly by the employer and the Commonwealth in accordance with the following provisions If disability begins between October 1 1939 and September 30 1941 both dates inclusive the employer shall be liable for and pay fifty per centum of the compensation due and the Commonwealth fifty per centum thereof Thereafter depending upon the date when disability begins the proportions of compensation for which the employer and the Commonwealth shall respectively become liable shall be If disability begins between October 1 1941 and September 30 1943 the employer sixty per centum and the Commonwealth forty per centum if between October 1 1943 and September 30 1945 the employer seventy per centum and the Commonwealth thirty per centum if [between] after October 1 1945 [and September 30 1947] the employer eighty per centum and the Commonwealth twenty per centum [if between October 1 1947 and September 30 1949 the employer ninety per centum and the Commonwealth ten per centum The employer shall pay the full amount of compensation provided in this act for disability or death in all cases where disability begins on or after October 1 1949]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rabauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 788, as follows:

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 795) is hereby further amended to read as follows

Section 6 Every person desiring to be licensed as in this act provided shall file with the secretary of said board upon appropriate blank to be furnished by said secretary an application verified by oath setting forth the facts which entitle the applicant to examination and licensure under the provisions of this act The said board shall hold at least two examinations each year In case of failure at any standard examination the applicant after the expiration of six months and within two years shall have the privilege of a second examination by the board without the payment of an additional fee Any applicant who fails or who since the first day of January one thousand nine hundred forty-seven has failed any such second examination shall have after the expiration of six months and within two years the privilege of a third examination by the board without the payment of an additional fee Every applicant who shall pass the standard examination or the limited examination as the case may be and who shall otherwise comply with the provisions of this act shall receive from the said board under its seal a certificate of licensure entitling him to practice optometry in this Commonwealth which certificate shall be duly registered in a record book to be properly kept by the secretary of the board for that purpose which shall be open to public inspection and a duly certified copy of said record shall be received as evidence in all courts of this Commonwealth in the trial of any case Each person to whom a certificate shall be issued by said board shall keep said certificate

displayed in a conspicuous place in the office wherein said person shall practice optometry together with the photograph of said person attached to the lower righthand corner of said certificate and shall whenever required exhibit the said certificate to any member or agent of the said board

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 803, as follows:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration check-up of registers and street lists

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-six of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment

as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefore and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 606) and the act approved the first day of August one thousand nine hundred forty-one (P. L. 654) is hereby further amended to read as follows

Section 26 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of electors who are registered in any borough town township or city of the third class within the county These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the borough town or township the street or road and number if any of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the city borough town or township the street or road and number if any of the address from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register for the city borough town or township in which he was last registered Each removal notice to be effective must be received at the office of the commission at least [thirty] fifty days prior to any primary or general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than thirty days next preceding the primary or election provided that any elector who removes his residence from one place to another within the same election district and who has not yet filed a removal notice with the commission may be permitted to vote at the election or primary next following such removal if at [the] time of signing voter's certificate he files with the judge of election a signed removal notice properly filled out all such removal notices shall be returned to the commission with the voting check list and the commission shall proceed to transfer the registration of such electors in accordance with the provisions of this act

Section 2 Subsection (a) of section twenty-seven of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 606) is hereby further amended to read as follows

Section 27 Transfer of Regulation (a) Upon receipt

not later than the [thirtieth] fiftieth day next preceding any primary or general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to a location in any borough town or township from any city of the third class within the county the commission if it has previously determined by resolution that the personal registration system for the boroughs towns and townships and the system for the city are so set up that registration cards of one system may be used for the other system shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come as filed in the general register and district registers of the election district of his previous residence in such city and if the signature shall appear authentic shall enter the change of residence of his registration cards and if the removal shall have been made two months or more next preceding an election or primary shall transfer the registration card of the elector from the general register of the said city to the general register of the county and the registration card from the district register of the election district of his previous residence in said city to the district register of the election district of his new residence in the borough town or township. If such request for transfer shows a removal within the period of two months next preceding an election or primary the commission shall transfer the registration cards of the elector from the district registers of his previous residence but shall not include them in the district registers of his new residence until after the election or primary. In any such case the commission shall advise the elector promptly in writing of its action.

Section 3 Subsections (a) and (b) of section thirty of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 650) are hereby further amended to read as follows:

Section 30 Check-up of Registers

(a) At any time prior to the [thirtieth] fiftieth day next preceding [an] a general election or primary held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote. Such notice shall contain on the outside a request of the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon.

(b) At any time prior to the [thirtieth] fiftieth day of next preceding [an] a general election or primary held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register.

Section 4 Subsection (a) of section thirty-three of said act as amended by the act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 446) is hereby further amended to read as follows:

Section 33 Street Lists Posting (a) Commencing not later than the [thirtieth] fiftieth day prior to each primary and general election held in even-numbered years and at least thirty-five days prior to any municipal election held in odd-numbered years the commission shall prepare for each election district a street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I again want to call to the attention of the members of the Senate that they are again passing a bill which is going to stop a lot of people from voting, by making the change of address card be signed fifty days before an election. I have heard members of the Republican party from the platform urge that everybody register and vote. This bill makes it far more difficult to vote and I ask the members on my side of the Senate to vote "no" on this bill.

Mr. TALLMAN. Mr. President, I want to suggest to the gentleman from Allegheny, Mr. Barr, that this series of bills, of which there are four on the calendar today, is no move on the part of the Republican party to deprive anyone of any opportunity to vote. On the other hand, Mr. President, these bills, the entire series of them, became necessary in order that the law may be in conformity with the bills, which are now law, which were passed earlier in this session, to change the date of the primary election, and that is the sole purpose of these bills, so that the entire law may be in conformity with those bills which already have been passed and which are now law.

Mr. BARR. Mr. President, I do not like to disagree with the gentleman from Lehigh but he has an entirely erroneous conception of this bill—whoever told him that misinformed him—in part of his statement he is correct—but this provision, requiring a change of address card to be made fifty days previous to election in an even numbered year, is not needed to conform with the law passed earlier in this session.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausen,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 808, as follows:

An Act to provide for an inventory of existing hospitals for a survey of the need for additional hospital facilities and for the development and administration of a hospital construction program which will in conjunction

with existing facilities afford hospitals adequate to serve all people of the State and appropriating money establishing methods of administration and control providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

General

Section 1 Title This act shall be known as and may be cited as the "Pennsylvania Hospital Survey and Construction Act"

Section 2 Definitions The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly requires otherwise

(a) "Secretary" means the Secretary of the Department of Health

(b) "The Federal Act" means Public Law seven hundred twenty-five of the 79th Congress approved the thirteenth day of August one thousand nine hundred forty-six entitled the "Hospital Survey and Construction Act"

(c) "The Surgeon General" means the Surgeon General of the Public Health Service of the United States

(d) "Hospital" includes public health centers and general tuberculosis mentally chronic disease and other types of hospitals and related facilities such as laboratories outpatient departments nurses' home and training facilities and central service facilities operated in connection with hospitals but does not include any hospital furnishing primarily domiciliary care

(e) "Public Health Center" means a publicly owned facility for the provisions of public health services including related facilities such as laboratories clinics and administrative offices operated in connection with public health centers

(f) "Non profit hospital" means any hospital owned and operated by a corporation or association no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual

Section 3 Administration Division of Hospital Survey and Construction There is hereby established in the Department of Health a Division of Hospital Survey and Construction which shall be administered by a full-time salaried director under the supervision and direction of the secretary The Department of Health through such division shall constitute the sole agency of the State for the purpose of

(a) Making an inventory of existing hospitals surveying the need for construction of hospitals and developing a program of hospital construction as provided in Article II of this act and

(b) Developing and administering a State plan for the construction of public and other nonprofit hospitals as provided in Article III of this act

Section 4 General Powers and Duties In carrying out the purposes of the act the secretary is authorized and directed

(a) To require such reports make such inspections and investigations and prescribe such regulations as he deems necessary

(b) To provide such methods of administration appoint a director and other personnel of the division and take such other action as may be necessary to comply with the requirements of the Federal Act and the regulations thereunder

(c) To procure in his discretion the temporary or intermittent services of experts or consultants or organizations thereof by contract which such services are to be performed on a part-time or fee-for-service basis and do not involve the performance of administrative duties

(d) To the extent that he considers desirable to effectuate the purposes of this act to enter into agreements for the utilization of the facilities and services of other departments agencies and institutions public or private

(e) To accept on behalf of the State and to deposit with the State Treasurer any grant gift or contribution made to assist in meeting the cost of carrying out the purposes of this act and to expend the same for such purpose

(f) To make an annual report to the Governor on activities and expenditures pursuant to this act including recommendations for such additional legislation as the secretary considers appropriate to furnish adequate hospital clinic and similar facilities to the people of this State

Section 5 Advisory Hospital Council The Governor shall appoint an Advisory Hospital Council to advise and consult with the Department of Health in carrying out the administration of this act The council shall consist of the secretary who shall serve as chairman ex officio and seven (7) members and shall include representatives of non-government organizations or groups and of State agencies concerned with the operation construction or utilization of hospitals including representatives of the consumers of hospitals services selected from among persons familiar with the need for such services in urban or rural areas Each member shall hold office for a term of four (4) years except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire as designated at the time of appointment two (2) at the end of the first year two (2) at the end of the second year two (2) at the end of the third year and one (1) at the end of the fourth year after the date of appointment Council members while serving on business of the council shall receive no compensation but shall be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their places of residence The council shall meet as frequently as the secretary deems necessary but not less than one each year Upon request by four ((4) or more members it shall be the duty of the secretary to call a meeting of the council

Section 6 Administrative Appropriations For the purposes of administering the provisions of this act there is hereby appropriated the sum of one hundred thousand dollars (\$100,000) and also such funds as may be received from the Federal Government and other sources for such purposes Such moneys shall be expended upon proper certification by the secretary

Article II

Survey and Planning

Section 7 Survey and Planning Activities The secretary is authorized and directed to make an inventory of existing hospitals including public nonprofit and proprietary hospitals to survey the need for construction of hospitals and on the basis of such inventory and survey to develop a program for the construction of such public and other nonprofit hospitals as will in conjunction with existing facilities afford the necessary physical facilities for furnishing adequate hospital clinic and similar services to all the people of the State

Section 8 Construction Program The construction program shall provide in accordance with regulations prescribed under the Federal Act for adequate hospital facilities for the people residing in this State and insofar as possible shall provide for their distribution throughout the State in such manner as to make all types of hospital service reasonably accessible to all persons in the State

Section 9 Application for Federal Funds for Survey and Planning Expenditure The secretary is authorized to make application to the Surgeon General for Federal funds to assist in carrying out the survey and planning activities herein provided Such funds shall be deposited in the State Treasury and shall be available to the secretary for expenditure for carrying out the purposes of this article Any such funds received and not expended for such purposes shall be repaid to the Treasury of the United States

Article III

Plans and Construction

Section 10 State Plan The Secretary shall prepare and submit to the Surgeon General a State plan which shall include the hospital construction program developed under Article II of this act and which shall provide for the establishment administration and operation of hospital construction activities in accordance with the requirements of the Federal Act and regulations thereunder. The secretary shall prior to the submission of such plan to the Surgeon General give adequate publicity to a general description of all the provisions proposed to be included therein and hold a public hearing at which all persons or organizations with a legitimate interest in such plan may be given an opportunity to express their views. After approval of the plan by the Surgeon General the secretary shall publish a general description of the provisions thereof in at least one newspaper having general circulation in each county in the State and shall make the plan or a copy thereof available upon request to all interested persons or organizations. The secretary shall from time to time review the hospital construction program and submit to the Surgeon General any modifications thereof which he may find necessary and may submit to the Surgeon General such modifications of the State plan not inconsistent with the requirements of the Federal Act as he may deem advisable.

Section 11 Minimum Standards for Hospital Maintenance and Operation The secretary shall by regulation prescribe minimum standards for the maintenance and operation of hospitals which receive Federal aid for construction under the State plan.

Section 12 Priority of Projects The State plan shall set forth the relative need for the several projects included in the construction program determined in accordance with regulations prescribed pursuant to the Federal Act and provide for the construction insofar as financial resources available therefor and for maintenance and operations make possible in the order of such relative need.

Section 13 Construction Projects Applications Applications for hospital construction projects for which Federal funds are requested shall be submitted to the secretary and may be submitted by the State or any political subdivision thereof or by any public or non-profit agency authorized to construct and operate a hospital. Each application for a construction project shall conform to Federal and State requirements.

Section 14 Consideration and Forwarding of Application The secretary shall afford to every applicant for a construction project an opportunity for a fair hearing. If the secretary after affording reasonable opportunity for development and presentation of applications in the order of relative need finds that a project application complies with the requirements of section thirteen of this act and is otherwise in conformity with the State plan he shall approve such application and shall recommend and forward it to Surgeon General.

Section 15 Inspection of Projects From time to time the secretary shall inspect each construction project approved by the Surgeon General and if the inspection so warrants the secretary shall certify to the Surgeon General that work has been performed upon the project or purchases have been made in accordance with the approved plans and specifications and that payment of an installment of Federal funds is due to the applicant.

Section 16 Hospital Construction Fund The secretary is hereby authorized to receive Federal funds in behalf of and transmit them to such applicants. There is hereby established separate and apart from all public moneys and funds of this State a Hospital Construction Fund. Money received from the Federal Government for a construction project approved by the Surgeon General shall be deposited to the credit of this fund and shall be used solely for payments due applicants for work performed or purchases made in carrying out approved projects. Warrants for all payments from the Hospital Construction Fund shall bear the signature of the secretary or his duly authorized agent for such purpose.

Article IV
Miscellaneous

Section 17 Severability If any provision of this act or the application thereof to any person or circumstances shall be held to be invalid such invalidity shall not affect the provisions or applications of this act which can be given effect without the invalid provision or application and to this end the provisions of the act are declared to be severable.

Section 18 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 19 Effective Date The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tallman,
Becker,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahausen,	Wagner,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
Dislivestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Woodring,
Farrell,			

NAYS—1

Walker.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 810, as follows:

An Act to further amend sections three four and five of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 158) entitled "An act creating a Legislative Reference Bureau providing for the election of a director by the General Assembly designating the officers and employees of such bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation" further defining the powers of the director with respect to the employees of the Bureau and increasing the director's salary.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Sections three and four of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 158) entitled "An act creating a Legislative Reference Bureau providing for the election of a director by the General Assembly designating the officers and employees of such bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation" as amended by the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1803) are hereby further amended to read as follows:

Section 3 The director of the Legislative Reference Bureau shall be qualified by experience knowledge and ability to conduct the work of the bureau. He shall be well versed in legislative procedure and parliamentary practice and shall in such matters when called upon be ex-officio advisor to the General Assembly. He shall give bond in the sum of ten thousand dollars for the faithful

performance of his duties and he shall devote his whole time and attention to the duties of his office. He shall have access to the Law Library and the publications therein of the various State Governments and the United States Government which may be generally classed as legislative documents. He shall receive a salary of [seven thousand five hundred] eight thousand two hundred fifty (\$8250) dollars per annum.

Section 4 The director shall appoint an assistant director learned in the law who shall be a skilled bill drafter and who shall receive a salary [of not exceeding seven thousand five hundred dollars per annum] to be fixed by the director. The assistant director shall perform the duties of the director in the case of vacancy in said office or in case of the absence or inability of the director to act and he shall also perform such other duties as may be assigned to him by the director.

Section 2 Section five of said act as last amended by the act approved the sixth day of May one thousand nine hundred thirty-one (P. L. 95) is hereby further amended to read as follows:

Section 5 The director shall also appoint [a chief compiler learned in the law who shall be a skilled bill drafter a compiler and bill drafter learned in the law a compiler and bill reading clerk learned in the law a search clerk learned in the law a messenger and file clerk a chief clerk who shall be a stenographer a skilled reference librarian a secretary and two stenographers. The salaries and compensation of the employees shall be fixed within the appropriation made biennially by the director of the bureau from time to time taking into consideration the years of service of employees in the work of the bureau. The director may for a period commencing one month prior to and ending one month after each session of the General Assembly appoint and fix the monthly compensation of one bill clerk an assistant bill clerk and such stenographers and emergency help as may be necessary to expedite the work of the legislative session] a trained librarian and such attorneys-at-law clerks secretaries stenographers typists messengers and other employees as he deems necessary and for such periods and on such terms as he deems advantageous to conduct the work of the bureau at all times. The director shall fix the number and compensation of all such employees within the limits of appropriations made in advance by the General Assembly.

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Watson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 819, on third reading, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania requiring bills to be considered on three different days in each House.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 826, as follows:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Subsection (d) of section three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows:

Section 312 Reciprocal Agreements

(d) Contributions due under this act with respect to wages for employment shall for the purpose of section three hundred one of this act be deemed to have been paid to the fund as of the date payment was made as contributions therefor under another state or Federal unemployment compensation law but no such arrangement shall be entered into unless it contains provisions for reimbursement to the fund of such contributions or

an amount equal to such contributions less any benefits which may have been paid by such other state based upon such contributions. Such arrangement may provide for the transfer of interest earned on such contributions while credited to the state to which they were erroneously paid.

Reimbursements paid from the fund pursuant to paragraph (c) of this section shall be deemed to be benefits for all the purposes of this act. The department is authorized to make to other state or Federal agencies and to receive from such other state or Federal agencies reimbursements from or to the fund in accordance with arrangements entered into pursuant to this section.

The administration of this act and of other state and Federal unemployment compensation and public employment service laws will be promoted by cooperation between this State and such other states and the appropriate Federal agencies in exchanging services and making available facilities and information. The department is therefore authorized to make such investigations secure and transmit such information make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this act as it deems necessary or appropriate to facilitate the administration of any such unemployment compensation of public employment service law and in like manner to accept and utilize information services and facilities made available to this State by the agency charged with the administration of any such other unemployment compensation or public employment service law.

To the extent permissible under the laws and Constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and payment of benefits under the employment security law of this State or under a similar law of such government.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 830, as follows:

An Act to further amend section seven of article two of the act approved the second day of June one thousand

eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Secretary of Mines where the need demands to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides and in general making provisions thereof conform to existing law.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of article two of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the first day of June one thousand nine hundred fifteen (P. L. 648) is hereby further amended to read as follows

Section 7 The [qualified electors of the several inspection districts mentioned in this act shall elect respectively] Governor shall appoint the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district	Nine inspectors
Second inspection district	Six inspectors
Third inspection district	One inspector
Fourth inspection district	Four inspectors
Fifth inspection district	Two inspectors
Sixth inspection district	One inspector
Seventh inspection district	One inspector
Eighth inspection district	One inspector

[Provided That the present mine inspectors in the several inspection districts shall continue in office until the expiration of the terms for which they have been appointed or elected and the number of inspectors to be elected at the coming election shall be reduced by the number of inspectors now regularly appointed or elected and residing and serving in said districts. When the terms of the present inspectors shall expire their successors shall be elected in accordance with the provisions of this act until each inspection district shall have its full quota of elected inspectors under this act.] Said inspectors [elected under this act] shall be under the direction of the [Chief] Secretary of the Department of Mines who shall assign districts to the several inspectors [in the respective counties in which they are elected] but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the [Chief] Secretary of the Department of Mines to assign said inspector to work or duty in another [adjoining] district or territory wherein the services of said inspector are necessary. The Secretary of Mines is further authorized to reduce the number of inspectors assigned to an inspection district and to increase the number assigned to another inspection district where because of a shift in the number of employees engaged in mining in any particular district such changes are warranted from a safety point of view but in no case shall the total number of mine inspectors exceed twenty-five.

[And provided further That whenever owing to the erection of a new district or for any other reason an inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a board of examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified. Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the board of examiners of said district showing that he has passed a successful

examination before the said board and is qualified for the position of inspector]

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 834, on third reading, entitled:

An Act relating to the public school system prescribing minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents superintendents of special education supervisors of agriculture supervisors of homemaking and district superintendents providing for reimbursement by the Commonwealth and for reimbursements by school districts for pupils attending schools of other districts imposing duties on certain county officers and repealing inconsistent legislation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 857, as follows:

An Act to amend section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general psocial or local or any parts thereof that are or may be inconsistent therewith" by increasing the salary of school controllers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 2211 The school controller in each district of the first class shall be paid from the funds of the school district an annual salary of [four thousand dollars (\$4,000.00)] four thousand four hundred dollars (\$4400.00) payable monthly

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 858, as follows:

An Act to further amend section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the limit on the amount to be retained by registers of wills for their own use for collecting inheritance taxes as agents of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the

transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1597) is hereby further amended to read as follows

Section 21 The registers of wills upon their filing with the Department of Revenue the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax in the case of resident decedents For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand (\$50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand (\$50,000) dollars and not exceeding one hundred thousand (\$100,000) dollars one per centum on the amounts collected in excess of one hundred thousand (\$100,000) dollars and not over two hundred thousand (\$200,000) dollars and one-half of one per centum on the amounts collected in excess of two hundred thousand (\$200,000) dollars and not over one million (\$1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million (\$1,000,000) dollars Provided That the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of [ten thousand dollars (\$10,000) eleven thousand dollars (\$11,000) during any year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Hauska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jones,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 861, entitled:

An Act to further amend section two hundred thirteen subsection (f) of section four hundred forty-eight subsection (g) of section seven hundred ten and to add subsection (h) to section seven hundred ten of the act ap-

proved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board to authorize the Pennsylvania State Police to assist the Department of Revenue in the collection of the tax on cigarettes and to permit search without warrant for law violations where the duty of enforcement or administration is in the Department of Revenue

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 1 to 5, inclusive, of title, by striking out the words "section two hundred thirteen sub—" in line 1, all of lines 2, 3 and 4, and the words "seven hundred ten of" in line 5; Amend Title, page 2, last three lines of title on said page, by striking out the words "to authorize the" in line 3 from bottom of page, and all of last two lines; Amend Title, page 3, lines 1, 2, 3 and 4, from top of page, by striking out all of said lines; Amend Sec. 3, page 6, lines 16 to 19, inclusive, by striking out all of said lines; Amend Sec. 3, page 7, line 1 and 2, by striking out both of said lines; Amend Sec. 3, (Sec. 710), page 7, lines 3 to 20, inclusive, by striking out all of said lines; Amend Sec. 4, page 8, line 1, by striking out the figure "4" and inserting in lieu thereof "3".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 862, as follows:

An Act making an appropriation to the Chapman Recreational Park Mead Township Warren County for constructing buildings and improvements and maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and fifty thousand dollars (\$150,000) or so much thereof as may be necessary is hereby specifically appropriated to the Chapman Recreational Park Mead Township Warren County for the purpose of constructing buildings and improvements and maintenance thereof

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Leader,	Stiefel,
Becker,	Frazier,	Letzler,	Tallman,
Berger,	Geltz,	Lord,	Tarr,
Blass,	Haluska,	Mahany,	Taylor,
Carr,	Hare,	Mallery,	Tyler,
Chapman,	Heyburn,	Margie,	Wade,
Crider,	Holland,	Rahauser,	Wagner,
Crowe,	Homsher,	Rosenfeld,	Watson,
Dent,	Jaspan,	Ruth,	Wilson,
DiSilvestro,	Kephart,	Scarlett,	Wolfe,
Doehla,	Klein,	Snowden,	Wood, L. H.,
Donlan,	Lane,	Stevenson,	Woodring,

NAYS—2

Walker, Wood, T. N.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864, as follows:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioner's clerk in the County of Northampton"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioner's clerk in the County of Northampton" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,

Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Kephart,
Klein,
Lane,
Leader,
Letzler,

Snowden,
Stevenson,
Stiefel,
Tallman,

Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 865, as follows:

An Act to amend section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the acts and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in certain newspapers in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 106 Publication of Notices Whenever under the provisions of this act notice is required to be given by newspaper publication in any county or in any municipal subdivision thereof such notice shall be published in at least two and not more than three newspapers of general circulation as defined in the "Newspaper Advertising Act" approved May 16, 1929 (P. L. 1784) At least one of said newspapers shall represent the majority party and at least one shall represent the minority party if there be that many published within the limits of such county or municipal subdivision If there are not two such newspapers then publication shall be made in at least either one newspaper of general circulation representing the majority party or at least one newspaper of general circulation representing the minority party whichever is published in such county and at least one newspaper of general circulation representing the other party published in an adjacent county and circulating in such county or municipal subdivision in which such notice is required to be published Provided however that if in any such county or in any municipal subdivision thereof there are at least three newspaper of general circulation published within the limits of such county or municipal subdivision the foregoing provisions of this section shall be deemed complied with if publication shall be made in all of the said newspapers in the county or municipal subdivision notwithstanding that all such newspapers may represent either the majority party or the minority party Whenever such notice relates to any matter or proceeding in court or to the sale of bonds or increase of indebtedness the same shall also be published in the legal newspaper if any in the proper county provided publication can be

made therein on the same day or days as publication is made in newspapers of general circulation

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 882, as follows:

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and

the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" as las amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 463) to read as follows

Section 38 Cancellation of Registration Upon Failure to Vote During Two Calendar Years Request for Reinstatement Effect of Removal Notice Within three months after January first of each year except in such years as the commission shall conduct a check of electors in compliance with clause (c) of section thirty of this act the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two immediately preceding calendar years and who is not recorded as having voted at any election or primary during said period the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted during the two immediately preceding calendar years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration or a removal notice properly executed setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided or a removal notice The cancellation of the registration of any such elector for failure to vote during the two immediately preceding calendar years shall not affect the right of any such elector to subsequently register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Such removal notice properly executed shall have the same effect as the request for reinstatement as above provided where failure to vote during two calendar years may cause cancellation of registration Either a removal notice card or request for reinstatement card shall be permitted to be used interchangeably in such circumstances

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Willson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margle,	Stiefel,
DISilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 925 on third reading, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 999, as follows:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veterans' affairs and the payment by counties of certain expenses in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding after section ninety-five thereof a subdivision heading and two sections to read as follows

7 Directors of Veterans' Affairs

Section 97 Formation Purpose The directors of veterans' affairs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and cooperation in the conduct of their offices and improving their service to veterans

Section 98 Expenses Time Limit Each director of veterans' affairs shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred going to attending and returning from any annual meeting of the association but not in excess of fifty dollars in any one year which shall be paid by the county of which he or she is an officer by orders drawn on the treasurer thereof The time spent in attending such meetings shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including any necessary amount for printing committee meetings and stenographic services shall be paid by the proper counties but shall not exceed twenty-five dollars for each county the director of veterans' affairs of which is a member of said association

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on third reading, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1014, on third reading, entitled:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15-1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State Government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1017, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 1086, on third reading, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1087, as follows:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Rule 4 All accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been [found] detected with a flame safety lamp shall be carefully examined by the mine foreman or his assistants at least once a week and all danger found existing therein shall be immediately removed A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Larr,	Frazier,	Lord,	Tarr,
Becker,	Gelts,	Mahany,	Taylor,

Berger,
Blass,
Carr,
Chapman,
Orider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1103, as follows:

An Act to amend sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" requiring the recording of corporation charters and amendments thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred seven and eight hundred nine of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" are hereby amended to read as follows

Section 207 Effect of Issuance of Certificate of Incorporation Recording of Charter Upon the issuance of the certificate of incorporation by the Department of State the corporate existence shall begin and those persons who subscribed for shares prior to the issuance of the certificate of incorporation or their assignees shall be shareholders in the corporation The certificate of incorporation

shall be conclusive evidence of the fact that the corporation has been incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate a corporation which should not have been formed under this act or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation After the issuance of the certificate of incorporation by the Department of State the corporation shall record its charter in the office of the recorder of deeds in and for the county in which the registered office of the corporation is located

Section 809 Effective date of amendment recording of amendments upon the issuance of the certificate of amendment by the Department of State the amendment shall become effective and the articles or incorporation shall be deemed to be amended accordingly The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation except as against the Commonwealth No amendment shall affect any existing cause of action in favor of or against the corporation or any pending suit in which the corporation shall be a party or the existing rights of persons other than shareholders and in the event the corporate name shall be changed by the amendment No suit brought by or against the corporation under its former name shall be abated for that reason after the issuance of the certificate of amendment by the Department of State the corporation shall record the certificate and the attached copy of approved articles in the office for the recording of deeds in and for the county in which the registered office of the corporation is located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122 on third reading, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or

for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1322, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand dollars (\$95,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the erection of a building or buildings including the installation of lighting heating water and other necessary facilities to be used for conducting a research study and investigation program relating to the artificial insemination of cattle and other livestock and for the purchase of such machinery supplies and apparatus necessary to equip such building or buildings for the proper execution of such program

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1327, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants provide necessary travel and maintenance and legal or other services as may be necessary in assisting the department in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private schools and classes in accordance with law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Becker,	Donlan,	Lord,	Taylor,
Berger,	Farrell,	Mahany,	Tyler,
Blass,	Frazier,	Mallery,	Wade,
Carr,	Geltz,	Rosenfeld,	Wagner,
Chapman,	Hare,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watson,
Crowe,	Homsher,	Snowden,	Wilson,
Dent,	Kephart,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,

NAYS—9.

Barr,	Jaspan,	Lane,	Tarr,
Haluska,	Klein,	Rahausen,	Woodring,
Holland,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1337 on third reading, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1341, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred nineteen thousand two hundred seventy-five dollars (\$519,275) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-seven to be by it paid to the homes hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such homes in the manner prescribed by law

Aged Colored Women's Home Williamsport ...	\$ 825.00
Allegheny Temporary Home for Children	4,000.00
Almira Home Association New Castle	7,000.00
Beaver County Children's Home New Brighton	5,600.00
Benevolent Association Home for Children	
Pottsville	3,000.00
Boy's Industrial Home Oakdale	13,800.00
Chester Day Nursery and Children's Boarding Home	1,500.00
Children's Aid Society of Franklin County	2,800.00
Children's Aid Society of Pennsylvania	
Philadelphia	58,000.00
Children's Aid Society of Western Pennsylvania	
Pittsburgh	24,000.00
Children's Home of Bradford	2,800.00
Children's Home of Easton	10,000.00
Children's Home of York	5,000.00
Children's Home of South Bethlehem	6,500.00
Children's Industrial Home Harrisburg	16,000.00
Christian Home of Johnstown	5,000.00
Children's Home of Reading	1,400.00
Colored Children's Bureau Philadelphia	10,500.00
Colored Women's Relief Association of Western Penna.	2,400.00
Curtis Home for Girls Pittsburgh	5,600.00
Erie Infant's Home and Hospital	3,000.00
Florence Crittenton Home Erie	1,400.00
Florence Crittenton Home Philadelphia	2,800.00
Florence Crittenton Home Williamsport	1,000.00
Friend's Home for Children Philadelphia	2,800.00
Friendship House Scranton	9,500.00
George Jr Republic Association	18,000.00
Home for Aged Philadelphia	5,600.00
Home for Aged Couples Philadelphia	2,000.00
Home for Aged Infirm Women Easton	6,500.00
Home for Aged and Infirm Colored Women	
Pittsburgh	3,200.00
Home for Colored Children Pittsburgh	1,800.00
Home of Industry for Discharged Prisoners	
Philadelphia	3,500.00
Home for Veterans of GAR and Wives Philadelphia	16,000.00
Home for Widows and Single Women Lebanon	3,000.00
Home for Widows and Single Women Reading	4,000.00
Industrial Home for Crippled Children Pittsburgh	21,000.00
Ladies GAR Home Hawkins Station	23,000.00
Margaret Henry Children's Home New Castle	1,200.00
Meadville Children's Aid Society and Home for Aged	6,500.00
Nazarene Home for Aged Philadelphia	4,000.00

Northern Home for Friendless Children Philadelphia	20,000.00
Northern Tier Home Harrison Valley	3,400.00
Pennsylvania Memorial Home Brookville	12,000.00
Pennsylvania Association for the Blind Harrisburg	40,000.00
Pennsylvania Society to Protect Children from Cruelty	4,500.00
Pennsylvania Working Home for the Blind ..	30,000.00
Pittsburgh Home for Babies	14,000.00
Pittsburgh and Allegheny Home for Friendless	5,000.00
Sarah A Reed Home Erie	10,500.00
Seamen's Church Institute Philadelphia	16,800.00
Tabor Home for Children Doylestown	7,500.00
United Charities Home for Children Hazleton	3,000.00
Union Home for Old Ladies Philadelphia ..	4,500.00
Westmoreland County Children's Aid Society	9,400.00
Williamsport Home	10,500.00
York County's Blind Centre	1,250.00
Zoar Home for Mothers Babies and Convalescents (Allison Park)	1,400.00

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare thereunder shall be paid to any home therein named if such home is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE Bill No. 1046 CALLED UP

Mr. TALLMAN. Mr. President, on page 1 of the Calendar, I call up for consideration at this time the Report of the Committee of Conference on House Bill No. 1046.

REPORT OF COMMITTEE OF CONFERENCE RECOMMENDED

Mr. TALLMAN. Mr. President, I move that the Report of the Committee of Conference on House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate

the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements

be recommitted to the Committee of Conference.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 129 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, Senate Bill No. 129, for consideration at this time.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 129, on third reading, entitled:

A Joint Resolution proposing an amendment to article nine, section sixteen of the Constitution of the Commonwealth of Pennsylvania extending the provisions thereof to include certain veterans not theretofore within its provisions.

be recommitted to the Committee on Military Affairs and Aeronautics.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 272 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, Senate Bill No. 272, for consideration at this time.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 272, on third reading, entitled:

An Act to further amend section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," increasing the period before which temporary professional employees may become professional employees.

be recommitted to the Committee on Education.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 326 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call from the Third Reading Postponed Calendar, House Bill No. 326, for consideration at this time.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 10, page 13, lines 10 to 20, both inclusive, by striking out all of said lines; Amend Sec. 10, page 14, lines 1 to 19, both inclusive, by striking out all of said lines; Amend Sec. 11, page 15, line 1, by striking out the figure "11" and inserting in lieu thereof: "10"; Amend Sec. 12, page 15, line 16, by striking out the figure "12" and inserting in lieu thereof: "11"; Amend Sec. 13, page 16, lines 14 to 17, both inclusive by striking out all of said lines; Amend Sec. 14, page 16, line 18, by striking out the figure "14" and inserting in lieu thereof: "12"; Amend Sec. 15, page 17, line 6, by striking out the figure "15" and inserting in lieu thereof: "13"; Amend Sec. 16, page 18, line 1, by striking out the figure "16" and inserting in lieu thereof: "14"; Amend Sec. 17, page 18, line 9, by striking out the figure "17" and inserting in lieu thereof: "15"; Amend Sec. 18, page 19, line 8, by striking out the figure "18" and inserting in lieu thereof: "16"; Amend Sec. 19, page 19, line 14, by striking out the figure "19" and inserting in lieu thereof: "17"; Amend Sec. 20, page 22, line 8, by striking out the figure "20" and inserting in lieu thereof: "18"; Amend Sec. 21, page 23, line 4, by striking out the figure "21" and inserting in lieu thereof: "19"; Amend Sec. 22, page 23, line 6, by striking out the figure "12" and inserting in lieu thereof: "20"; Amend Sec. 23, page 29, line 6, by striking out the figure "23" and inserting in lieu thereof: "21".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

SENATE BILL No. 359 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postpone Calendar, Senate Bill No. 359, for consideration at this time.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 359, on third reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen

(P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison;" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by further defining the terms "pharmacy;" and further regulating the registration of certain persons defining the term "pharmacy", and further regulating the registration of certain persons.

be recommitted to the Committee on Education.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 422 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. BECKER. Mr. President, I call from the Third Reading Postponed Calendar, Senate Bill No. 422, for consideration at this time.

BILL RECOMMITTED

Mr. BECKER. Mr. President, I move that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively.

be recommitted to the Committee on Banking.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 768 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, Senate Bill No. 768, for consideration at this time.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 768, on third reading, entitled:

An Act to repeal sections two and three of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

be recommitted to the Committee on Judiciary General.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 83, on second reading, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory three year revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 113, entitled:

An Act to add section eight point one and to amend section thirteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by further providing for the assessment and valuation of buildings under construction and land which has been laid out in building lots

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 211, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Agriculture and on the Department of Revenue prescribing penalties and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 213 on second reading, entitled:

An Act to further amend section two hundred nine and subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" raising compensation of the Governor Lieutenant Governor and the heads of departments

be recommitted to the Committee on State Government.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 234, entitled:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgements of written instruments made by corporations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 236, entitled:

An Act to amend subsections one and two of section nine of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one, (P. L. 490), entitled "An act relating to acknowledgements of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgements taken without the State shall be authenticated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 259, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 260, entitled:

An Act prescribing the fees to be received by the clerks of orphan's courts of counties of the fifth sixth seventh and eighth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 288, entitled:

An Act regulating increase in rent upon the lifting of federal rent controls and prescribing penalties

The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend sec. 5, page 3, line 16, by striking out the words "constructions built after the lifting of federal controls" and inserting in lieu thereof "dwelling units built after March first, one thousand nine hundred forty-seven."

On the question,

Will the Senate agree to the amendment?

Mr. JASPAN. Mr. President, I am in favor of federal

rent control. However, I am very much afraid it does not meet the requirements of the law.

And furthermore, Mr. President, I understand it is unconstitutional because it is not specific concerning an emergency and without an emergency any price control has been declared by the Supreme Court of the United States as being unconstitutional. Furthermore, Mr. President, it does not set up any administrative body to carry out the provisions of the bill.

Further, Mr. President it does not protect tenants against evictions where there are not sufficient housing accommodations and, above all, it permits a general increase in rents and in many cases where they are not hardship cases.

For those reasons, Mr. President, I am going to vote against this bill.

However, I will say this much at this time, that I am in favor of Senator Wood's bill which is on the second reading calendar.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The sixth section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 316, entitled:

An Act to amend section four of article XVI of the act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by increasing the salaries of councilmen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 330, entitled:

An Act to amend sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" providing for marking and changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 331, entitled:

An Act to further amend clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act" regulating contents of Standard Babcock Pipette

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 360, entitled:

An Act to repeal certain statutes relating to weights and measures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salary of the Commissioner of Fisheries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 392, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 427, entitled:

An Act to further amend sections six and seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" changing the weight of a bushel of hair (plastering) and exempting from necessity of net quantity being marked thereon any package containing less than one ounce of liquid or dry commodities and selling for five cents or less

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 576, entitled:

An Act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 651, entitled:

An Act to further amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing that the right to participate in the police pension fund after having been established shall not be forfeited

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 654, entitled:

An Act to permit employes of counties cities boroughs towns and townships to accumulate annual sick leave in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 657, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 663, entitled:

An Act to fix the salaries of register of wills in counties of the second to sixth class inclusive

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 674, entitled:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 676, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered

military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 714, entitled:

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803) Act No. 588) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" to make the same applicable to the annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and repealing inconsistent laws excepting as to proceedings now pending

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring periodic revisions of standards of the State Council of Education with reference to school buildings providing for advisory committees in connection therewith and making the type of heating and ventilating systems optional with boards of school directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 800, on second reading, entitled

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 813, entitled:

An Act to further amend subsections A and B of section seven hundred seven of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," eliminating requirement that certificates of clearance be filed with articles of amendment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporation with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and

her employes of all such corporations or private banks or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 834, entitled:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employes of the office of the collector of taxes to become members of the city retirement system under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and

maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 859, entitled:

An Act to further amend section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionist requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 1 (Sec. 4), page 4, lines 5 and 6, by striking out the words "or in lieu of such enclosed stair tower of fire-resistive construction located inside the building" and inserting in lieu thereof "and in addition thereto."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital to sell and convey a certain tract of land in the township of Glade County of Warren Pennsylvania but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendment?

Amend Section 1, page 2, line 8 by striking out at the end of the line the word "Glade" and inserting in lieu thereof: "Conewango".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. TALLMAN offered the following amendment:

Amend title, page 1, line 4 by striking out after the word "of" and before the word "County" the word "Glade" and inserting in lieu thereof: "Conewango."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 866, entitled:

An Act relating to the regulation control and stabilization of rents in housing accommodations during an emergency creating a temporary state housing rent commission prescribing its powers and duties and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension fund in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana in the construction operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of Indiana authorizing the Governor for these purposes to enter into an agreement with the States in question creating an Inter-State Turnpike Commission and defining its powers and duties including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and businesses therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing the salaries of the deputies clerks and assistants of tax collectors.

ectors in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 949, on second reading, entitled:

An Act to authorize political subdivisions and agencies hereof and municipality authorities to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons

go over in its order.
The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act to further amend section one of the act, approved the sixteenth day of May, one thousand eight hundred sixty-one (P. L. 708), entitled "An act relating to brokers and private bankers," by changing the times for filing returns and for payment of the tax due.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Common-

wealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1185, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 844), entitled as amended "An act authorizing the Commonwealth of Pennsylvania, or any department or division thereof, and counties, cities, boroughs incorporated towns townships school districts' vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1217, on second reading, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections defining and prohibiting unfair sales of cigarettes conferring powers and

imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing remedies for violations thereof and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Sec. 3, page 7, line 4, by inserting after the word "of" where it appears the first time, the following: "Collateral"; Amend Sec. 3, page 11, line 16, by inserting after the word "licenses" the following: "and facsimiles thereof"; Amend Sec. 3, page 13, line 4, by inserting after the word "licenses" the following: "and facsimiles thereof"; Amend Sec. 3, page 13, line 9, by inserting after the word "licenses" the following: "and facsimiles thereof."

They were agreed to.

The section was agreed to as amended.

The fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Sec. 6, page 15, line 19, by striking out the words "Report and Payment" and inserting in lieu thereof: "Reports and Payments"; Amend Sec. 6, page 17, line 9, by inserting after the word "license" the following: "and facsimiles thereof."

They were agreed to.

The section was agreed to as amended.

The seventh and eighth sections were read and agreed to.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Sec. 9, page 22, line 13, by striking out the words "dealer's or wholesaler's" and inserting in lieu

thereof: "dealers' or wholesalers"; Amend Sec. 9, page 24, line 9, by inserting after the word "may" the following: "also"; Amend Sec. 9, page 24, line 16, by striking out the word "Such" and inserting in lieu thereof: "Also."

They were agreed to.

The section was agreed to as amended.

The tenth, eleventh and twelfth sections were read and agreed to.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendment:

Amend Sec. 13, page 27, line 15, by striking out the word "franchise" and inserting in lieu thereof: "franchises".

It was agreed to.

The section was agreed to as amended.

The fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth sections were read and agreed to.

The nineteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendments:

Amend Sec. 19, page 35, line 3, by striking out the word "phostat" and inserting in lieu thereof: "photostat".

Amend Sec. 19, page 35, line 5, by striking out the word "phostate" and inserting in lieu thereof: "photostate."

They were agreed to.

The section was agreed to as amended.

The twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth sections were read and agreed to.

The Table of Contents was read.

On the question,

Will the Senate agree to the Table of Contents?

Mr. SNOWDEN offered the following amendments:

Amend Table of Contents, page 2, line 9 from top of page, by inserting after the word "of" the following: "Collateral"; Amend Table of Contents, page 2, line 8 from bottom of page, by striking out "Report and Payment" and inserting in lieu thereof: "Reports and Payments."

They were agreed to.

The Table of Contents was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors of liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially

usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing the liquid fuels taxable under the provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 166 CALLED FROM SECOND READING POSTPONED CALENDAR

Mr. TALLMAN, Mr. President, I call from the Second Reading Postponed Calendar, Senate Bill No. 166, for consideration at this time.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, use and temporary loans therefor; and validating such increases heretofore made.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

SENATE BILL No. 800 CALLED UP

Mr. GELTZ, Mr. President, on page 32 of the Second Reading Calendar, I call up Senate Bill No. 800 for consideration at this time.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 800, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 288 CALLED UP

Mr. KEPHART, Mr. President, on page 25 of the Calendar, I call up for consideration at this time Senate Bill No. 288.

RECONSIDERATION OF SENATE BILL No. 288

Mr. KEPHART, Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 288, entitled:

An Act regulating increase in rent upon the lifting of federal rent controls and prescribing penalties.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. KEPHART, Mr. President, I voted with the majority.

Mr. DENT, Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DENT, Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. KEPHART, Mr. President, I desire to offer an amendment at this time.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 5, by striking out the word "hotel" in said line.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second reading, as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 313

The PRESIDENT. The Chair announces the President pro tempore appoints Messrs. SNOWDEN, WADE and TARR as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such a committee) to consider the differences existing between the two houses in relation to Senate Bill No. 313.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. CHAPMAN, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, House Bill No. 321, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Mr. DENT, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT from the Committee on Appropriations, reported as committed, House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 466

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 11, 1947.

Resolved, (If the Senate concur), That House Bill No. 466, Printer's No. 628, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of Aeronautics.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 786, PRINTER'S No. 432

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 11, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 786, Printer's No. 432, entitled "An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available."

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. MAHANY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY from the Committee on Local Government, reported as amended, House Bill No. 274, entitled:

An Act to amend sections four thousand three hundred two, four thousand three hundred three and four thousand three hundred five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law

relating thereto," inserting additional provisions relating to retirement, basis for apportionment of pension and payments to pension fund by city.

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE from the Committee on Education, reported as amended, House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education, supervisors of agriculture, supervisors of home making and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 193, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and

stream, channel work in McKean, Potter and Tioga counties, made necessary by floods of July, one thousand nine hundred forty-two, and May, one thousand nine hundred forty-six, and of carrying out the provisions of existing laws relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations; empowering them to acquire by purchase, gift, or eminent domain certain dwelling and other structures; providing for their organization and the exercise of their powers and duties including the borrowing of money, issuing bonds and other obligations, the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 274, entitled:

An Act to amend sections four thousand three hundred two four thousand three hundred three and four thousand three hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" inserting additional provisions relating to retirement basis for apportionment of pension and payments to pension fund by city

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for leaves of absence of professional employees because of illness or other causes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents supervisors of special education, supervisors of agriculture, supervisors of home making and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by prothonotaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 800, entitled:

An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns school districts of the second class school district of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 814, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" by removing certain restrictions for a limited period of time as to the licensing of veterans' organizations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments; and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments, and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; prescribing penalties; and repealing certain acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 822, entitled:

An Act to add section four point one to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" limiting and regulating the liability of chattels for subsequent purchases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to add section eleven point one to the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" limiting and regulating liability of good for subsequent purchases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act limiting and regulating liability of goods wares and merchandise purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply the deficiencies in revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" increasing the membership of the banking board and the number of appointments to that board by the Governor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1000, entitled:

An Act to further amend section eight and to amend section nine of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining decreased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," authorizing the director of veterans' affairs to join in the formation of a State association, and the payment by such counties of certain expenses in connection therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1170, entitled:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption in portation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1210, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudication of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L.) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" by designating the nature of the tax by clarifying the provisions relating to the imposition thereof and by redefining certain terms.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, June 12, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. SCARLETT. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 5:21 o'clock, p. m., Eastern Standard Time, until Thursday, June 12, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, June 11, 1947

The House met at 12:00 o'clock noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Heavenly Father, we would pray: Bless the Lord, O my soul, and all that is within me, bless His holy name. Grant that we may observe Thy precepts diligently, and deeply realize that blessed are the undefiled in the way, who walk in the law of the Lord. Blessed are they who keep Thy testimonies, who seek Thee with a whole heart. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, June 10, 1947.

The Clerk proceeded to read the Journal of Tuesday, June 10, 1947, when, on motion of Mr. REAGAN unanimously agreed to, the further reading was dispensed with and the Journal approved.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DIX.

RESOLUTION No. 68.

In the House of Representatives, June 10, 1947.

Whereas, There is need for an official song for the Commonwealth of Pennsylvania that is of the highest order possible, both as to words and music, and

Whereas, Every Pennsylvanian with literary and musical ability should have an opportunity to offer such a song, and

Whereas, The only way possible for all Pennsylvanians to have an opportunity to offer such a song is to have a free and open opportunity to write the words and music for a Pennsylvania official song, and

Whereas, The Joint State Government Commission has the personnel and authority to make possible a song-writing contest; therefore, be it

Resolved, That the Joint State Government Commission conduct such a contest and receive such words and music for a proposed official song, and the Commission is herewith given authority to select able literary and musical judges who shall be given the authority to judge the merits of the songs so submitted and select the song that, in their judgment, is of the highest quality and present their selection to the next regular session of the Legislature.

Referred to Committee on Rules.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, June 10, 1947.

Resolved (if the Senate concur), the House Bill No. 478, Printer's No. 571, entitled "An act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled 'An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employees and on city councils of cities of the first and second class and providing penalties' authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court", be recalled from the Governor for further amendments.

CONCURRENCE IN HOUSE RESOLUTION No. 15

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, February 18, 1947.

"Hopewell" an area in Berks and Chester Counties of 5400 acres (of which 5000 acres are woodland) formerly under the jurisdiction of the Federal Government is now subject to the control and supervision of the Department of Forests and Waters since it was granted to the Commonwealth under the provisions of the act approved the 22nd day of May 1945 (P. L. 834)

This beautiful park and recreational area has been partially developed. Further development is quite feasible at any time by the construction of headquarters buildings cabins public bathing beaches playgrounds and certain electrical sewerage and safety equipment the breaking of trails and the maintenance thereof.

There are now a dozen or more State Parks there is no such park in the southeastern part of the State within a fifty mile radius of "Hopewell" there is a population

of five million These people hundreds of thousands of whom have visited the area in the last five years together with sportsmen who hope to see a game preserve in part of the area and service clubs urge and desire that "Hopewell" be made a State Park since most of them have no opportunity to visit our other State Parks therefore be it Resolved (if the Senate concur) That the Department of Forests and Waters continue to maintain "Hopewell" as a park and recreational area and that the Department of Forests and Waters improve and develop "Hopewell" if as and when moneys available for such purpose permit

CONCURRENCE IN HOUSE RESOLUTION No. 56

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 22, 1947.

Whereas The United States Marine Corps has been a shining example of faithful and efficient service to our Nation for more than 172 years and

Whereas The United States Marine Corps has been a source of strength whenever our Nation has been threatened and

Whereas The United States Marine Corps possessed a vision to develop the science of waging amphibious warfare which knowledge permitted our Nations offensive might to be carried to enemy shores and which proved to be the key to victory in a global war and

Whereas 50872 of the young men of this Commonwealth of Pennsylvania have served our Nation during World War II in the United States Marine Corps and

Whereas The United States Marine Corps is threatened with extinction if the merger bill now pending in the Congress of the United States is passed in its present form and

Whereas The abolition of the United States Marine Corps would be a disastrous loss to our Nation therefore be it

Resolved (If the Senate concur) That the existence of the United States Marine Corps be assured by amendment to any merger bill such amendment specifically providing that the United States Marine Corps shall continue to serve as our Nation's amphibious troops and as a force in instant readiness to protect our Nation and be it further

Resolved That the Chief Clerk of the House of Representatives is hereby directed to forward certified copies of this resolution to the President of the United States the President pro tempore of the United States Senate the Speaker of the House of Representatives of the United States the Secretary of the Navy the Commandment of the United States Marine Corps and members of the Congressional delegation from the Commonwealth of Pennsylvania

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 447.

An Act to further amend subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish adn amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" raising the license fee and increasing the length of time covered by tourist fishing licenses

HOUSE BILL No. 522.

An Act to amend section eight hundred one of the act

approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations.

HOUSE BILL No. 635.

An Act to amend sections three and eight of the act approved the sixth day of April, one thousand eight hundred thirty (1829-30 P. L. 272), entitled "An act for the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes," by further providing for the levy and collection of taxes in certain court proceedings.

HOUSE BILL No. 719.

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

HOUSE BILL No. 745.

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

HOUSE BILL No. 828.

An act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes

HOUSE BILL No. 1111.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence im-

posing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions

HOUSE BILL No. 1156.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents.

HOUSE BILL No. 1273.

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation.

HOUSE BILL No. 1342.

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 8, 206, 438, 467, 507, 577, 750, 779, 865, 887, 888, 897, 940, 948, 1010, 1011, 1060, 1088, 1225, 1316 and 1318.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 8, Printer's No. 24, entitled "An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder."

JAMES H. DUFF.

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 206, Printer's No. 250, entitled "An act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled 'An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution' by increasing the number of copies to be published."

JAMES H. DUFF.

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 438, Printer's No. 760, entitled "An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled 'An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same' deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to the attachment execution assignment or transfer and payable only to beneficiary designated."

JAMES H. DUFF.

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 467, Printer's No. 604, entitled "An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission."

JAMES H. DUFF.

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 507, Printer's No. 790, entitled "An act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by restricting the payments of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto."

JAMES H. DUFF.

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 577, Printer's No. 563, entitled "An Act making a deficiency appropriation to aid certain school districts."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 750, Printer's No. 651, entitled "An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 779, Printer's No. 408, entitled "An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled 'An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto' providing for a rule upon respondent to furnish a bill of particulars in certain cases."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 865, Printer's No. 726, entitled "An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties."

JAMES H. DUFF

June 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 887, Printer's No. 557, entitled "An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies associations or exchanges including fidelity surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts."

JAMES H. DUFF

June 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 888, Printer's No. 662, entitled "An Act relating to the regulation of rates for insurance which may be written by stock or mutual

fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 897, Printer's No. 559, entitled "An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' excluding from the provisions thereof fire rating bureaus Revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocal and inter-insurance exchanges."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 940, Printer's No. 754, entitled "An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 948, Printer's No. 568, entitled "An Act making an appropriation to the Local Government Commission to continue its work."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1010, Printer's No. 512, entitled "An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purposes."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1011, Printer's No. 513, entitled "An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1060, Printer's No. 611, entitled "An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined' further providing for the membership of the State Military Reservation Commission."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1088, Printer's No. 304, entitled "An Act validating the charters and the registration of the corporate name of certain non-profit corporations."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1225, Printer's No. 535, entitled "An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments

boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined' by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1316, Printer's No. 613, entitled "An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representatives of such deceased member."

JAMES H. DUFF

June 10, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1318, Printer's No. 614, entitled "An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities."

JAMES H. DUFF

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 155, 156, 173, 264, 429, 463, 539, 607, 689, 715, 742, 777, 827, 829, 837, 841, 843, 847, 848, 850, 851, 852, 860.

SENIOR CLASS OF EAST CONEMAUGH BOROUGH HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very pleased to have as guests in the hall of the House this afternoon the Senior Class of East Conemaugh Borough High School located in Cambria County, accompanied by their teachers, Mr. Mockley, and Miss Fresch. They are here as the guests of Representative Evans, Chervenak and O'Connor of Cambria County.

REPORTS FROM COMMITTEES

Mr. VAUGHAN from the Committee on Liquor Control, reported as amended, House Bill No. 103, entitled:

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," removing cer-

tain restrictions as to the licensing of veterans' organizations.

Mr. WEIDNER from the Committee on Fisheries, reported as amended, House Bill No. 862, entitled:

An Act making an appropriation to the Board of Fish Commissioners out of the Fish Fund to establish, construct and maintain fishways around existing dams in the Susquehanna River, in Pennsylvania.

Mr. BOWER from the Committee on Appropriations, reported as committed, Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

Mr. O'CONNOR from the Committee on Education, reported as committed, Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

Mr. O'DONNELL from the Committee on Judiciary, reported as committed, Senate Bill No. 193, entitled:

An Act relating to judgments providing for the lien thereof and the duration and revival of such liens prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property and imposing duties on prothonotaries sheriffs and other court and county officers.

Mr. GALLAGHER from the Committee on Education, reported as committed, Senate Bill No. 268, entitled:

An Act to amend section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employes in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employes of such municipal corporations by whom they are employed.

Mr. CHERVENAK from the Committee on Education, reported as committed, Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature.

Mr. STOCKHAM from the Committee on Appropriations, reported as committed, Senate Bill No. 363, entitled:

An Act to amend further the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or be-

longing to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by changing the method of accounting for advances out of appropriations at the end of a biennium

Mr. BENTZEL from the Committee on Education, reported as amended, Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands.

Mr. WORLEY from the Committee on Judiciary, reported as committed, Senate Bill No. 551, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law; providing the procedure therefor; and prescribing penalties.

Mr. TITTLE from the Committee on Education, reported as committed, Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

Mr. GOODLING from the Committee on Appropriations, reported as committed, Senate Bill No. 602, entitled:

A further supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of "Agricultural Colleges" making an appropriation for carrying the same into effect.

Mr. GOODLING from the Committee on Appropriations, reported as committed, Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and for other necessary expenses.

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, Senate Bill No. 665, entitled:

A Supplement to the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," making an appropriation to the Department of Property and Supplies for the payment of the cost of acquiring certain property, and the improvement and beautification thereof.

Mr. SCANLON from the Committee on Education, reported as committed, Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

Mr. YESTER from the Committee on Appropriations, reported as committed, Senate Bill No. 707, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission and making an appropriation

Mr. ORBAN from the Committee on Judiciary, reported as committed, Senate Bill No. 734, entitled:

An Act to amend section nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "A nact relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" changing fees of prothonotaries.

Mr. STUART from the Committee on Education, reported as committed, Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax

Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation.

Mr. WEISS from the Committee on Judiciary, reported as committed, Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

Mr. GORMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 779, entitled:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" by further providing what evidence is or is not admissible.

Mr. DAGUE from the Committee on Judiciary, reported as committed, Senate Bill No. 781, entitled:

An Act to further amend section 4 of the act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to court and collection of delinquent taxes.

Mr. ROBERTSON from the Committee on Judiciary, reported as committed, Senate Bill No. 782, entitled:

An Act to amend the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

Mr. STOCKHAM from the Committee on Education, reported as committed, Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act approved the eighteenth day of May one thousand

nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges.

Mr. HELM from the Committee on Rules, reported as committed, House Resolution No. 64.

Mr. HELM from the Committee on Rules, reported as committed, House Resolution No. 67.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith", by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 193, entitled:

An Act relating to judgments providing for the lien thereof and the duration and revival of such liens prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property and imposing duties on prothonotaries sheriffs and other court and county officers:

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1222), entitled "An act providing for the complete medical and dental examination of all children of school age, and teachers and other school employees in the public

and private elementary and secondary schools of the Commonwealth; and imposing certain duties upon the Department of Health and the Department of Public Instruction; and making an appropriation," providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employees of such municipal corporations by whom they are employed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 363, entitled:

An Act to amend further the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by changing the method of accounting for advances out of appropriations at the end of a biennium.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

A further supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of "Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and for others necessary expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 665, entitled:

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the costs of acquiring certain property and the improvement and beautification thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be

inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 707, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis; providing for its appointment; authorizing the employment of necessary assistants; prescribing the powers and duties of the commission; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 734, entitled:

An Act to amend section nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" changing fees of prothonotaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making an appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 779, entitled:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" by further providing what evidence is or is not admissible.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 781, entitled:

An Act to further amend section 4 of the act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to court and collection of delinquent taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 782, entitled:

An Act to amend the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an

appropriation" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

CERTIFIED COPY OF SENATE BILL No. 312

Mr. ELDER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 10th, 1947

Whereas, Senate Bill 312, Printer's No. 41, entitled:

"An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," extending period of field trials.

The official copy of which as referred by the speaker to the House Committee on Game and Forestry on Wednesday, March 19th, 1947 has been lost.

Be it Resolved, That the Chief Clerk of the House is hereby directed to request the Senate to furnish the House with a certified copy of Senate Bill No. 312, Printer's No. 41, which copy shall be substituted for the original, for the consideration of the House Committee on Game and Forestry.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to make a statement at this time, and as I have just seen the band coming in I thought perhaps they would want to play some music when I got through.

Today's issue of the Pittsburgh Post Gazette carried an editorial which refers to House Bill 551, entitled "A Sensible Plan." The article goes on to say:

"Between \$16 and \$25 millions—that's what Allegheny County taxpayers are expected to save if the Senate in Harrisburg follows the House's suit in approving a pay-as-you-go plan for the district Sanitary Authority.

"Under the House measure, which passed 163 to 30, the Authority can begin collecting charges while building its sewers and treatment works. To cut down clerical expenses, which means a further saving to taxpayers, the Authority may use private and municipal companies to collect the charges; and a householder may have his water shut off if he fails to pay his sanitary fee.

"There is nothing compulsory about this enabling legislation. County municipalities may or may not elect to go along with the Authority. The only compulsion is that 102 cities, townships, and boroughs and 90 manufacturers in Allegheny County must cease pollution of the streams of the Commonwealth.

"To date, however, 98 of the affected communities have joined the Authority, and it is expected that the others will, from a standpoint of efficiency and economy, come in when the \$80 million program really gets under way.

"As the Authority itself was the intelligent answer to the State's enjoiner to clean up the county's streams, so the pay-as-you-go principle is the sensible way for the Authority to do its job. If revenue is provided before the projects are completed, a good part of interest charges on bonds to be amortized over a 40-year period can be saved.

"That's all there is to the Authority's financing plan. And anyone who opposes it would saddle district taxpayers with an unnecessary burden."

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 447

An Act to further amend subsection B of Section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" raising the license fee and increasing the length of time covered by tourist fishing licenses

HOUSE BILL No. 522

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts re-

corders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations

HOUSE BILL No. 635

An Act to amend sections three and eight of the act approved the sixth day of April one thousand eight hundred thirty (1829-30 P. L. 272) entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" by further providing for the levy and collection of taxes in certain court proceedings

HOUSE BILL No. 719

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes

HOUSE BILL No. 745

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

HOUSE BILL No. 828

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

HOUSE BILL No. 1111

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license places and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions

HOUSE BILL No. 1156

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

HOUSE BILL No. 1273

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

HOUSE BILL No. 1342

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred and forty-seven

SENATE BILL No. 22

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" increasing the amounts which the counties will receive from the State for forest reserves

SENATE BILL No. 202

An Act to further amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of the State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing amount of money available for treatment of blind persons in certain cases and

empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons

SENATE BILL No. 562

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof

SENATE BILL No. 617

An Act to reenact and amend sections four hundred ninety-six four hundred ninety-six point one four hundred ninety-six point two four hundred ninety-six point three and four hundred ninety-six point four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing eighth class counties to acquire operate and least aviation landing fields and air-dromes conferring power of eminent domain for such purposes authorizing the appropriation of certain lands purchased at tax sales for such purposes and joint action with other potitital subdivisions in the operation and maintenance of such airfields and providing for the expenditure of funds for such purposes in cooperation with State Federal or other public agencies

SENATE BILL No. 732

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

SENATE BILL No. 743

An Act to further amend paragraph one of section two hundred forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

SENATE BILL No. 778

An Act to amend subsection (b) of section two of the

act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property of counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institution used in the care and maintenance of indigent persons by certain political subdivisions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 318

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of this act

And has appointed Messrs. Stevenson, Mahany and Woodring a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. ROSE. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 318

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. Rose, Ray L. Riley and Weiss.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. READINGER from the Committee on Judiciary reported as amended Senate Bill No. 83, entitled:

An Act authorizing the judges of the courts of common pleas to create mental clinics for the examination of per-

sons charged with the commission of criminal offenses prior to trial and of convicted persons prior to the imposition of sentence and of children charged with delinquency providing for the creation of joint mental clinics among the several counties and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same and providing for the establishment by the Department of Welfare of where no clinics have been established.

Mr. DEPUY from the Committee on Highways, reported as committed, Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for their titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

Mr. READINGER from the Committee on Judiciary, reported as committed, Senate Bill No. 446, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor.

Mr. GYGER from the Committee on Education, reported as committed, Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course.

Mr. TOMPKINS from the Committee on Judiciary, reported as amended, Senate Bill No. 306, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth

Mr. McDONALD from the Committee on Labor Relations, reported as committed, Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

Mr. SERRILL from the Committee on Highways, reported as committed, Senate Bill No. 673, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

Mr. CAPANO from the Committee on Judiciary, reported as committed, Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntarily suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

Mr. WATKINS from the Committee on Highways, reported as committed, Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this Act authorizing the issuance of Turnpike Revenue bonds of

the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension paying the cost of the Eastern Extension or the cost of the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved or under the provisions of this Act and which shall then be outstanding including the payment of any redemption premiums thereof refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this Act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this Act or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partner-

ships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 673, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road

from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntarily suspension of publication shall not disqualify a newspaper to publish legal and official advertising.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this Act authorizing the issuance of Turnpike Revenue bonds of the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension paying the cost of the Eastern Extension or the cost of the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved or under the provisions of this Act and which shall then be outstanding including the payment of any redemption premiums thereof refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this Act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this Act or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CONFERENCE REPORT ON HOUSE BILL No. 1046

Mr. ROSE. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 1046. The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee on Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1046, entitled: "An act to amend section two of the act approved the twenty-sixth day of May, one thousand nine hundred twenty-one, (P. L. 1172), entitled 'A Supplement to the

act approved the seventeenth day of May, one thousand nine hundred seventeen, (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength and purity," requiring permits to conduct pharmacies; providing for the revocation thereof, and prescribing penalties, regulating the use of a corporate title in applying for a pharmacy permit and its use on labels."

Respectfully submit the following bill as our report:

JACOB W. CARR,
A. EVANS KEPHART,
JOSEPH M. BARR,
JOHN C. WALTON,
W. W. SERRILL,
E. H. BANE,

(Committee on the Part of the Senate.)

(Committee on the part of the House of Representatives.)

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties is hereby amended to read as follows

Section 2 Upon application on a form to be prescribed and furnished it and the payment of a fee of two dollars the [Pennsylvania] State Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons associations copartnerships or corporations as the board deems qualified to conduct such business Every corporation in applying for a pharmacy permit shall use its full corporate title which shall also be used on all labels All permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued and shall expire on the first day of July following the date of issue No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy is in the charge of a pharmacist registered under the provisions of the act to which this is a supplement All permit fees collected under the provisions of this act shall be paid into the State Treasury

Section 2 The provisions of this act shall become

effective the first day of January one thousand nine hundred forty-eight.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sarra,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Deputy,	Laughner,	Reagan,	Weidner,
Dix,	Layer,	Reese, D. F.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Leisey,	Reilly, J. M.,	West,
Elder,	Livingstone,	Reilly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Kratz,	Root,	Yester,
Fliss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sax,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

CONGRATULATORY RESOLUTION

Mr. YESTER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 11, 1947.

The fame of greatness sometimes travels slowly and it

is only when we review the life of an individual that we discover we have had a great and distinguished person in our midst;

Such a discovery is to be made when we review the life history of Helen Richey, the "First Lady of the Air" of Western Pennsylvania, who was born November 21, 1909, in McKeesport, the daughter of James B. Richey and Amy Winter, and who died in New York on January 7, 1947.

In the thirty-seven years of her life, she spent all the years other than those spent in school (having graduated from McKeesport High School in 1928 and one term at Carnegie Tech), in the field of aviation as a flyer.

She began flying shortly after leaving Carnegie Tech and after six hours training, she made her first solo hop in April, 1930. Thus she became Allegheny County's first girl to win a pilot's license. She soon owned her own plane and after a few months became the first woman to hold a limited commercial pilot's license, authorizing her to carry passengers.

Between 1931 and 1933 she won first place in an air acrobatic contest at Baltimore. Then she captured trophies at meets in Lynchburg, Virginia, and Niagara Falls, New York. On December 30, 1933, she combined with the late Mrs. Frances Harrell Marsalis of New York City, to establish the women's endurance record of 237 hours and 42 minutes. Later the two women established another endurance record at Miami, Florida, by remaining in the air more than eight days.

Mrs. Marsalis was killed in a crash during an air race at Vandalia, Ohio, Miss Richey finished second in the same race.

During this interim Miss Richey had been awarded a transport pilot's license. She became the world's first woman air mail pilot and in 1934 became the first of her sex to be a co-pilot on a regular air transport route. She flew the mail for Pennsylvania Central Airlines between Washington, D. C. and Detroit from December 1934 to October 1935.

She later set an international women's speed record for light planes early in 1936 covering 100 kilometers in 55 minutes. During the same year she participated in the Bendix Trophy Race from Los Angeles to Cleveland as co-pilot for Amelia Earhart. During the same year she established a women's world altitude record for light craft by reaching 18,000 feet.

According to an article appearing in the Daily News of McKeesport, dated January 8, 1947, she was the first woman in the United States to receive an aviation inspector's license from the Civil Aeronautics Commission and "the first American flier to place her skill on the side of the Allies in World War II with her enrollment in Great Britain's Women Air Transport Auxiliary and the first woman from the United States to be entrusted with the piloting of a British Hurricane fighter plane."

She later became a pilot with the United States on joining the Women's Air Service Pilots, commonly known as the WASPs and remained with that organization until its dissolution; therefore, be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania hereby wishes to proudly record this brief history of one of its most outstanding citizens as a pioneer in the field of aviation; and be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to her father, James B. Richey, McKeesport, Pa.

SPECIAL ORDER

Mr. SORG. Mr. Speaker, I move that Senate Bill No. 80, Printer's No. 273, on page 25 of today's callendar, bills on third reading, be made a special order of business immediately.

The motion was agreed to.

BILL ON THIRD READING (SPECIAL ORDER)

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 80, as follows:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian Gertrude Martin Rohrer as the State song of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The song "Pennsylvania" the melody and words thereof copyrighted in one thousand nine hundred thirty-one by a Pennsylvanian Gertrude Martin Rohrer the composer of the music and words is hereby adopted as the State song of Pennsylvania and shall be the official song for all public purposes

The words of said song are as follows

Verse I

Pennsylvania my native state to you we pledge our devotion

Pennsylvania our loyalty is boundless as the ocean

Verse II

Pennsylvania we thrill with pride to be your loyal descendants

Pennsylvania all hail to you the foundation of independence

Refrain

Pennsylvania Pennsylvania strong and true

Pennsylvania Pennsylvania hear our song to you

There is beauty in your mountains

There is peace upon your hills

And where-e'er I roam my only home is Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. If there are no objections the Chair will fulfill its agreement of the other day to have this song played for the Members of the House before final action is taken. By arrangements with the people interested in this bill we have a band, representing one of the high schools of Harrisburg, who are here to play the song "Pennsylvania." The Chair hears no objection.

The Chair recognizes the leader of the band, and if he is prepared he will now take over.

Mr. WATKINS. Mr. Speaker, we have arranged to pass out to the Members copies of this song, which I would like to have the page boys distribute to the Members of the House.

The SPEAKER. The pages will distribute to the Members of the House mimeographed copies of the song.

Mr. WATKINS. We have on the calendar on third reading this afternoon, Senate Bill 80, "An Act declaring and adopting an official State song," namely "Pennsylvania." In connection with this particular bill I might say that this song was composed by Gertrude Martin Rohrer, a Pennsylvania musician, appreciative of Pennsylvania's heritage and beauty. Mrs. Rohrer is a native of Wilkesburg, a qualified and distinguished composer of songs for the people. She was delegated to write this song of the Pennsylvania Federation of Music Clubs. Fifteen picked players of the John Harris High School Band of Harrisburg, under the direction of Mr. Goodall, and student director, Wayne English Jr., will give the

Members of the House for their approval a rendition of this song.

Mrs. James W. Minick of Camp Hill, who is Legislative Chairmen of the Pennsylvania Federation of Music Clubs, and an accomplished singer, has kindly consented to sing the song for the House.

(Mrs. James W. Minick sang "Pennsylvania" accompanied by the band.)

The SPEAKER. The Chair thanks the band and the singer, Mrs. Minick for their presentation of "Pennsylvania."

On the question recurring,
Shall the bill pass finally?

Mr. ROSE. Mr. Speaker, we have unfortunately a program of legislation where we have a bill before us, and we have to make up our opinion from the words on it that appear on the page, without being able to be certain that we are taking the right step.

In this particular connection we go a little bit farther. We have here a tune which I have never heard until three or four minutes ago. I want to compliment the band and wish also to compliment Mrs. Minick for her presentation, but I do not like, as I said before, to feel as a Legislator that I could thereby be stampeded into doing something in a hurry when it is not necessary.

I say that a song, Mr. Speaker, is something that should establish itself over a period of years before we adopt it as an anthem of our great Commonwealth. The Star Spangled Banner, I believe was sung for about one hundred years before it was adopted by our Congress as our national anthem. The Marseillaise of France was sung for over a century before it was adopted as the national anthem of France. God Save the King was sung for year and years in England before it became the national anthem by fiat.

I do not say that I dislike the song, I am not speaking against the song. My only objection to it is that every time the word "Pennsylvania" occurs in the refrain, it is an exact duplication of the refrain of "Wisconsin."

Mr. Speaker, we do not have to act in a hurry. Let this song establish itself and let it be adopted later on when it has become so popular all over the state that my children when they come home from school will hum the song, and when my wife is doing her household duties she will also be humming the song. When it is on the lips of all Pennsylvanians, then it is time enough to adopt it as our Commonwealth anthem.

I do not believe, Mr. Speaker, despite the beautiful rendition, that this Legislature should be stampeded into voting for something when it is strictly not necessary. Let the song be approved over fifty, sixty or one hundred years if it takes that long to do so. If the song is so good that it establishes itself all over the state in two years, then let it do it. As I understand, this song has been written for about fifteen years, although I have never heard the song before. I think there is no sense in our at this time adopting a song on behalf of those who are interested in adopting it as the Commonwealth anthem. Not that I am against the song, Mr. Speaker, but because it is an unnecessary gesture at this time. I honestly solicit all Members to think carefully before we place on our statute books and our State Manual and all our State circulars and State advertising this song

merely because we have heard it once. Let the time prove the song.

Mr. DIX. Mr. Speaker, I am glad of something. If I had not opposed this song we would never even have heard the music. We would never have had any copies of the music placed on our desks and we wouldn't know anything about the song. Therefore I believe Mr. Speaker, I have accomplished something.

It has been said that music hath charms to soothe the savage breast, but I hope that the charms of the singer and the rendition of the song by the band have not had the effect of charming the Members of the House into making this the official song of Pennsylvania.

Yesterday I introduced a resolution which would delay the adoption of this song for one or two years. In the meantime if those people who are sponsoring this song will go out on the highways and byways of Pennsylvania and sell the idea to the people to the extent that my colleague has just said, so that the people would be humming the song and singing the song, I would have no objection to it. I think we are making a great mistake if we are pressured or even charmed into adopting an official song, one that very few people have heard, and one that until recently but a small percentage of the members of the House were acquainted with.

Mr. Speaker, I am not opposing this song as a song, but I am opposing it because I do not think it has become sufficiently popular, sufficiently well known and recognized in the State of Pennsylvania to be adopted as an official song. We have had in the past seven years various songs brought into the House. We had a very good song at one time called "Rolling Hills of Pennsylvania." It rolled out of the House into the Senate, and the Senate turned that song down, if I recall aright.

This resolution that I have introduced would give the Joint State Government Commission the power to investigate the various songs of Pennsylvania, and if they saw fit, to conduct a newspaper song writing contest, to secure songs from all over Pennsylvania and then to have a committee of judges' of high literary ability, high musical ability pass upon the songs. The song by Mrs. Rohrer, of course, should be included in that list, and if it is the song that comes out on top, I assure you I will support it wholeheartedly, but I think we are making a serious mistake if we adopt an official song when we have heard it once in the hall of this House.

Mr. BRUNNER. Mr. Speaker, I assure you that I had no intention of standing before you when this measure came up for consideration. However, I think in view of the fact that two members of this body felt that they had sufficient reason for postponing consideration on Senate Bill 80, that I should add what I can in support of the measure, not against it.

The gentleman from Cambria suggests that a song to be worthy of adoption by this State must be one which his children will come home singing. May I assure this body, of which I am proud to be a Member, that some three weeks ago I got a telegram from a person that I consider to be the finest lobbyist in the state of Pennsylvania. The telegram was addressed to me and stated, "Kindly support Senate Bill 80 which establishes a new State Song," and it was signed "Mother." I for one will

be one son who perhaps next week will go home and sing this new State song.

Mr. ANDREWS. Mr. Speaker, if the gentleman from that particular borough, I have forgotten which, instead of singing the song to his Mother, will sing the song to the House, I will vote for the bill.

Mr. WATERHOUSE. Mr. Speaker, I would like to concur with what the gentleman from Cambria said, that if the gentleman from Montgomery will sing this song before the final vote, I will vote for the song; otherwise I will not.

Mr. BRUNNER. Mr. Speaker, I arose on this floor to support a bill that I sincerely and really believe in. I do not want my physical shortcomings to operate against the measure, and as the song is so beautiful, I don't think that any one who has qualifications such as I have, vocally inefficient, should be allowed to try to portray this song to this august body.

Mr. READINGER. Mr. Speaker, may I suggest that we vote for this bill today, and if two years hence the children of Mr. Rose, the gentleman from Cambria, are not then humming the song, that we come back and repeal it.

Mr. HEWITT. Mr. Speaker, in connection with what Mr. Rose has said, insisting that a song in order to be a state song must establish itself over a period of years before we adopt it, I might suggest, Mr. Speaker, that we sing "Roll Out the Barrel."

Mr. McCULLOUGH. Mr. Speaker, possibly some of my brothers and sisters may have the last word in this connection, but I have been supervisor in public schools for thirty-five years. I feel at home meeting that band, but, gentleman, I do not see why we have to go to Wisconsin to get music or words.

There is a gentleman, a Pennsylvania Dutchman by the name of Yoder, if he would come here and lead the singing of his song "Pennsylvania," and give his song the same show that we gave this other song, I am sure we would be carried away with it, because he is a teacher. He has been going up and down this whole state of Pennsylvania before Teachers' Institutes, before clubs, and he always sings that song. If it does not warm the cockles in your heart, I will eat my shirt. It is plenty good, I think you would agree if Professor Yoder would get an opportunity to sing his song against this song. Again I repeat I don't know why we should go to Wisconsin to get the music and the beautiful words for the song "Pennsylvania."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—78

Bane,	Depuy,	Laughner,	Shoemaker,
Baumunk,	Dye,	Madigan,	Snider,
Beech,	Elder,	McKinney,	Sollenberger,
Bender,	Erb,	Mikula,	Sorg,
Bentzel,	Ewing,	Miller,	Stank,
Bonawitz,	Flsh,	Mooney,	Stockham,
Boorse,	Flack,	Moore, C. E.,	Stuart,
Brice,	Fleming,	Moore, H. A.,	Swope,
Brunner,	Gibson,	Nelson,	Tittle,
Cadwalader,	Goodling,	Polaski,	Toomey,
Chervenak,	Haller,	Powers,	Vaughan,
Chudoff,	Haudenshield,	Price,	Watkins,
Clevenger,	Helm,	Propert,	Worley,

Cook,	Hocker,	Ragot,	Yeakel,
Cooper,	Hoopes,	Readinger,	Yester,
Cordier,	Imbt,	Reese, D. P.,	Yetzer,
Crowley,	Johnson,	Riley,	Young,
Dague,	Johnston,	Rowen,	Lichtenwalter,
Dalrymple,	Kean,	Royer,	Speaker.
Davidson,	Kelley,		

NAYS—90

Aaronson,	Greer,	McCosker,	Sax,
Andrews,	Griffiths,	McCullough,	Schuster,
Barrett,	Gyger,	Mills,	Scott,
Bloom,	Hall,	Mohr,	Serrill,
Boies,	Henry,	Murray,	Smith, C. C.,
Bower,	Hewitt,	Myers,	Smith, C. M.,
Breisch,	Jennings,	Najaka,	Sproul,
Capano,	Jones,	Naumann,	Stimmel,
Cassidy,	Jump,	Needham,	Thompson,
Cochran,	Kemp,	Neff,	Tompkins,
Cole,	Kirley,	O'Connor,	Turner,
De Long,	Kirley,	O'Dare,	Upshur,
Demech,	Kohl,	O'Donnell,	Wachhaus,
Dennison,	Krise,	O'Neill,	Wagner,
Dix,	Kurtz,	Orban,	Walton,
Efenberg,	Layer,	Petrosky,	Waterhouse,
Evans,	Lee,	Pichney,	Watson,
Feola,	Leisey,	Pickens,	Weidner,
Fiss,	Livingstone,	Reagan,	Weiss,
Foor,	Loftus,	Reese, R. E.,	Wescott,
Gallagher,	Lovett,	Richter,	West,
Getchey,	Lyons,	Robbins,	Wolf,
Goff,	Madden,	Rose,	Wood,
Graybill,			

NOT VOTING—35.

Brown,	Kent,	Morrison,	Stonier,
Buechin,	Kratz,	Patten,	Tahl,
Costa,	Livingston,	Reilly, J. M.,	Thomassy,
Frost,	Mazza,	Reilly, W. J.,	Trout,
Gorman,	McCormack,	Robertson,	Verona,
Greenwood,	McDonald,	Root,	Waldron,
Guthrie,	McMillen,	Sarra,	Wallin,
Hoffman,	Mihm,	Scanlon,	Wheeler,
Horan,	Mintess,	Simons,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ELDER asked and obtained permission for the Committee on Game and Forestry to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 609 entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 725 entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh

day of June one thousand nine hundred seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries; and by further providing for additional investments for trust funds by fiduciaries.

And said bill having been read at length the first time,
Ordered, To laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 761 entitled:

An Act to amend section three of Article VIII of the act, approved the twenty-first day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 146 entitled:

An Act to add subsection (d) to section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose im-

posing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" limiting the number of distributors' and importing distributors' licenses to be issued.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 614 entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations

The first to seventh sections inclusive were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend Section 8, page 8, line 12, by striking out at the beginning of the line before the word "affected" the word: "[lands]" and inserting in lieu thereof the words: "area of land."

Amend Section 8, page 8, line 12, by striking out after the word "the" and before the word "that" the word: "[lands]" and inserting in lieu thereof the words: "area of land."

They were agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend Section 9, page 8, line 16, by inserting after the word "area" and before the word "actually" the words: "of land."

Amend Section 9, page 8, line 18, by inserting after the words "acre of" and before the word "area" the word: "the."

Amend Section 9, page 8, line 18, by inserting after the word "area" and before the word "affected" the words: "of land."

Amend Section 9, page 9, line 4, by inserting after the

words "acre of" and before the word "land" the words: "the area of."

Amend Section 9, page 9, line 6, by inserting after the word "acres" and before the word "actually" the words: "of land."

Amend Section 9, page 9, line 9, by inserting after the word "area" and before the word "actually" the words: "of land."

They were agreed to.

The section was agreed to as amended.

The tenth section was read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend Section 11, page 10, line 3, by striking out after the word "area" and before the word "The" the words: "[to be stripped]" and inserting in lieu thereof the words: "of land affected."

Amend Section 11, page 10, line 17, by striking out at the end of the line after the words "which the" the words: "[top and]."

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendment:

Amend Section 12, page 11, line 11, by striking out after the word "shall" and before the word "anthracite" the words: "[have].]" and inserting in lieu thereof the word: "leave."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read and agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend Section 14, page 12, line 14, by striking out at the end of the line after the word "upon" the following: "[the area of land affected which shall]."

Amend Section 14, page 12, line 15, by striking out at the beginning of the line before the word "the" the word: "[include]."

Amend Section 14, page 12, line 15, by striking out after the word "surface" and before the word "spoil" the words: "[covered by]" and inserting in lieu thereof the words: "of the."

Amend Section 14, page 12, line 18, by inserting after the word "surface" and before the word "and" the words: "of spoil banks and backfillings in the Anthracite Region."

Amend Section 14, page 13, line 7, by striking out at the end of the line after the word "coal" the following: "[Upon the com-]" and inserting in lieu thereof the following: "All planting required by this act to be done by the operator shall be done subject to the supervision and approval of the Secretary of Forests and Waters and upon such approval."

Amend Section 14, page 13, by striking out lines 8 to 16 both inclusive.

Amend Section 14, page 13, line 17, by striking out at the beginning of the line the following: "[accordance with the plan or procedure prescribed by the secretary]."

They were agreed to.

The section was agreed to as amended.

The fifteenth and sixteenth sections were separately read and agreed to.

The seventeenth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendment:

Amend Section 17, page 15, line 6, by inserting after the word "such" and before the word "deposit" the words "portion of the."

It was agreed to.

The section was agreed to as amended.

The eighteenth section was read.

On the question,

Will the House agree to the section?

Mr. FLACK offered the following amendments:

Amend Section 18, page 15, line 17, by striking out at the end of the line after the word "planting" the words: "[of such]."

Amend Section 18, page 15, line 18, by striking out at the beginning of the line before the word "as" the words: "[portion of the affected area]."

The nineteenth to twenty-third sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1354, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garag keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" exempting motor vehicles of war amputees obtained through the Veterans' Administration from the payment of registration fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act to amend section nine hundred three of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and

of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," changing the requirements relating to withdrawal of joint deposits.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 189, entitled:

An Act to amend section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164), entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Service-men's Redadjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 240, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or per-

sons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of act," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

And said bill having been read at length the second time and agreed to

Ordered to be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 242, entitled:

An Act to further amend subsection B of section one thousand one hundred nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties, and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or persons and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons au-

thorized to engage in a banking or fiduciary business or both

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 491, entitled:

An Act to further amend Subsection C. of Section two hundred four of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without, fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the establishment of branch officers and sub-agencies; and for the approval thereof by the Department of Banking and the Banking Board.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 533, entitled:

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public position or on public works in certain cases

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. COLE. Mr. Speaker, I would like to interrogate the Majority Leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, before I interrogate the gentleman I would like it to be known that I am not trying to do anything that is against the veterans, because I have two boys that are veterans themselves, and I am very much in favor of veterans' legislation, but there

are just a couple of questions that are not clear in my mind on this particular bill.

On page 3, under this section, if a man returns from the armed service and has never been in the public employ before,—suppose we take the State Liquor Store for an example, and he starts to work there after he comes back, and he has had five years of service in the armed service. Another man has been in the store for six months or a year before he went into the service, and came back with two years of service. Would the man who came back on the job after he came back with five years of service supersede the man with two years of service in seniority?

Mr. SORG. Mr. Speaker, it is my understanding that that is not the intention of the bill.

Mr. COLE. Mr. Speaker, that is the thing I wanted to get clear in my mind. I thank the gentleman.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants

The first section was read.

On the question,

Will the House agree to the section?

Mr. FROST offered the following amendments:

Amend Sec. 1 (Sec. 1), page 3, line 2, by underscoring the figure "138.2."

Amend Sec. 1 (Sec. 1), page 3, line 2, by striking out the word "and" where it appears the second time.

Amend Sec. 1 (Sec. 1), page 3, line 3, by striking out the words "and synthetic."

Amend Sec. 1 (Sec. 1), page 3, lines 5 and 6, by striking out the words "or synthetic solution."

Amend Sec. 1 (Sec. 1), page 3, line 7, by inserting immediately after the parenthesis the following: "and 'Class III dry cleaning and dyeing plants' shall be construed to mean the business of cleaning, sponging or dyeing cloth, feathers, any kind of fabrics or textiles by the use of synthetics and other types of solvents which are not covered in Class I and Class II plants and do not contain flash point ingredients. Class III, or synthetic plants, shall be of mill or slow burning construction. In all other respects they shall comply with the provisions of sections two to five inclusive of this act except that steam fire extinguishment pipes will not be required for the rooms washers or tumblers."

Amend Sec. 1 (Sec. 1), page 3, lines 8 and 9, by striking out the words "approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151) as amended" and inserting in lieu thereof: "hereby amended shall."

Amend Sec. 1 (Sec. 1), page 3, line 10, by striking out

the word "synthetic" and inserting in lieu thereof: "Class III."

Amend Sec. 1 (Sec. 6), page 7, line 1, by striking out the words "synthetic type of" and inserting in lieu thereof: "III."

They were agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. FROST offered the following amendments.

Amend Title, page 2, line 1 of title, by striking out the word "and" where it appears the first time.

Amend Title, page 2, line 1 of title, by striking out the word "synthetic" and inserting in lieu thereof: "Class III."

They were agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with his act" increasing fees for inspection.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with his act" increasing fees for inspection and certificates.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mines foreman.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 709, Printer's No. 476

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 720, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 726, entitled:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents an dof minors and of trust estates including the appointment bonds rights powers duties liabilities guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the paymnt thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement an dsurvival of actions and the substitution of executors an dadministrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carr yon the busines sof decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of latters testamentary or of administration must be advertised.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safe regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garagekeepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second clas" by requiring depositories of city funds and other funds for which the city acts as custodian or trustees to give security and defining such security.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 758, Printer's No. 436

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven eight hundred two and eight hundred seven and to amend subsection (b) of section three Article II sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of the act approved the fifth day of August one thousand nine hundred forty-on (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoptio"

of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth and repealing an existing law.

The first section was read.

On the question,

Will the House agree to the amendments.

Mr. FISH offered the following amendments:

Amend section 1, page 6, line 5, by striking out after the word "examinations" and before the word "be" the word: "[shall]" and inserting in lieu thereof the word: "may".

Amend section 1, page 6, line 6, by inserting after the word "and" and before the word "competitive" the following: "shall be".

Amend section 1, page 7, line 4, by striking out at the beginning of the line before the word "the" the following: "[who has passed the examination]" and inserting in lieu thereof the following: "remaining on the register".

Amend section 1, page 7, line 7, by inserting after the word "of" and before the word "administrative" the word: "other".

Amend section 1, page 7, line 7, by striking out at the end of the line after the word "districts" the following: "[which are contiguous or nearby to]."

Amend section 1, page 7, by striking out line 8.

Amend section 1, page 7, line 9, by striking out at the beginning of the line before the bracket the following: "[appropriate eligible list]."

Amend section 1, page 10, line 3, by inserting after the word "Lists" and before the portion of word "Ap-" the following: "All existing employment and promotion lists are hereby cancelled, provided, however, that the right of return to employment by employes on leave of absence or furlough shall be preserved. Hereafter,"

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. FISH offered the following amendments:

Amend section 3, page 16, by adding between lines 7 and 8 the following:

(d) "Unclassified service" means all positions now existing or hereafter created in the service of the Commonwealth which are held by:

(1) Heads of departments of the Commonwealth, the first deputy heads thereof, the Executive Director of the State Civil Service Commission, and the person appointed to administer the Federal-State employment service and the unemployment compensation work of the Department of Labor and Industry.

Amend section 3, page 26, line 2, by inserting after the bracket and before the word "No" the following: Upon the request of an appointing authority, and with the approval of the commission, an employe may be reinstated in the classification from which he has resigned.

They were agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. FISH offered the following amendments:

Amend page 1, line 4 of the title, by striking out after the word "amend" and before the word "of" the following: "[subsection (b)]" and inserting in lieu thereof the following: "subsections (b) and (d)."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 802, entitled:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" by reducing the minimum number of days for advertising

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The first section was read.

On the question,

Will the House agree to the section?

Mr. ERB offered the following amendment:

Amend Sec. 1, page 2, line 5, by striking out the words "city of Altoona" and inserting in lieu thereof: "township of Logan."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. ERB offered the following amendment:

Amend Title, page 1, line 3 of title by striking out the words "city of Altoona" and inserting in lieu thereof: "township of Logan."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

The SPEAKER. If there is no objection, the Chair will return to page 4 of today's calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1150, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. NEFF. Mr. Speaker, for years we have had in our ball parks peanuts and pop corn and pop bottles. They haven't had beer bottles, and because we believe that the people of this Commonwealth do not like to have beer bottles thrown around in the ball parks, I move that we recommit House Bill 1150 to the Committee on Liquor Control for further consideration.

On the question,

Will the House agree to the motion?

Mr. VERONA. Mr. Speaker, I object to this motion to recommit. In all of the other ball parks, either the National, American League, outside of Shibe Park in Philadelphia and Forbes Field in Pittsburgh, they sell beer. They do not sell it in bottles; they sell it in paper con-

tainers. I believe if Mr. Neff would go to any one of these other ball parks he would see it himself.

Mr. LAYER. Mr. Speaker, I would like to concur with Mr. Neff in the fact that beer or and alcoholic beverage does not go along with American sport. I myself have played football, baseball, basketball and hockey. I have played on Sundays and I will continue to play on Sundays if I so desire, and all other days, but I absolutely cannot see having beer in the ball parks in Pennsylvania. What other states do in that matter is their own business, but beer absolutely does not go along with the American form of sport of baseball as played in the ball parks, and I ask the Members of the House to vote to recommit this bill.

Mr. VERONA. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. LAYER.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. LAYER. I shall, Mr. Speaker.

Mr. VERONA. Mr. Speaker, did the gentleman from Delaware ever play baseball in the big leagues?

Mr. LAYER. No, Mr. Speaker. I never got that high in the profession. I have attended and still do attend many games in the big league ball parks.

Mr. VERONA. Mr. Speaker, has the gentleman ever been to a ball park outside of the State of Pennsylvania where they sell beer?

Mr. LAYER. No, I have not, Mr. Speaker.

Mr. VERONA. Mr. Speaker, has the gentleman ever been to a ball park outside of the Commonwealth of Pennsylvania?

Mr. LAYER. Yes I have, Mr. Speaker.

Mr. VERONA. Mr. Speaker, has the gentleman ever seen them selling beer there?

Mr. LAYER. Mr. Speaker, only root beer.

Mr. VERONA. Ah, now, root beer! That is all.

Mr. ANDREWS. Mr. Speaker, I desire to state that this bill is in no sense a party measure.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Verona and Mr. Schuster and were as follows:

YEAS—116

Aaronson,	Goodling,	McDonald,	Shoemaker,
Andrews,	Graybill,	McKinney,	Smith, C. C.,
Bane,	Greer,	Mikula,	Smith, C. M.,
Baumunk,	Griffiths,	Miller,	Snider,
Bentzel,	Gyger,	Mohr,	Sollenberger,
Bloom,	Hall,	Moore, C. E.,	Sorg,
Bonawitz,	Haller,	Moore, H. A.,	Stacul,
Bower,	Helm,	Murray,	Stockham,
Breisch,	Henry,	Neff,	Stonier,
Cadwalader,	Hewitt,	Nelson,	Stuart,
Cassidy,	Hocker,	O'Donnell,	Swope,
Chervenak,	Hoopes,	Orban,	Thompson,
Clevenger,	Imbt,	Patten,	Tittle,
Cochran,	Johnson,	Pichney,	Tolupkins,
Cole,	Johnston,	Pickens,	Toomey,
Davison,	Jones,	Price,	Upshur,
Dennison,	Kelley,	Probert,	Wagner,
Dix,	Kline,	Ragot,	Walton,
Dye,	Krise,	Reese, D. P.,	Watkins,
Elder,	Kurtz,	Reilly, W. J.,	Watson,
Erb,	Layer,	Richter,	Weldner,
Feola,	Lee,	Riley,	Wescott,
Fish,	Lelsey,	Robbins,	West,
Fiss,	Livingston,	Robertson,	Wolf,
Flack,	Lyons,	Rose,	Wood,
Foor,	Madden,	Rowen,	Worley,
Frost,	Madigan,	Royer,	Yeakel,
Gibson,	McCosker,	Scott,	Young,
Goff,	McCullough,	Serrill,	Lichtenwalter,
			Speaker.

NAYS—41			
Barrett,	De Long,	Laughner,	Powers,
Boles,	Demech,	Livingstone,	Reese, R. E.,
Brown,	Depuy,	Loftus,	Schuster,
Brunner,	Efenberg,	Lovett,	Stank,
Bucchin,	Evans,	Mills,	Turner,
Capano,	Horan,	Mooney,	Vaughan,
Chudoff,	Jump,	Najaka,	Verona,
Cordier,	Kean,	Needham,	Waldron,
Crowley,	Kirley,	O'Neill,	Weise,
Dairymple,	Kohl,	Polaski,	Yester,
		Yetzer,	

NOT VOTING—48			
Beech,	Gorman,	Mihm,	Sarra,
Bender,	Greenwood,	Mintess,	Sax,
Boorse,	Guthrie,	Morrison,	Scanlon,
Brice,	Haudenshield,	Myers,	Simons,
Cook,	Hoffman,	Naumann,	Stimmel,
Cooper,	Jennings,	O'Connor,	Tahl,
Costa,	Kemp,	O'Dare,	Thomassy,
Dague,	Kent,	Petrosky,	Trout,
Ewing,	Kratz,	Readinger,	Wachhaus,
Fleming,	Mazza,	Reagan,	Wallin,
Gallagher,	McCormack,	Reilly, J. M.,	Waterhouse,
Getchey,	McMillen,	Root,	Wheeler,

So the question was determined in the affirmative and the motion was agreed to.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for thirty minutes for the purpose of holding a Republican Caucus immediately in the New House Caucus Room. The Chair hears none, and a recess is declared until 3:05 p. m. Eastern Standard Time.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 11, 1947.

Resolved (if the Senate concur), that House Bill No. 477, Printer's No. 775, entitled "An act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended 'An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties' authorizing county treasurers to retain certain moneys collected under said act and the payment thereof

to certain societies and association of individuals for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds," be recalled from the Governor for further consideration.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 37.

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 2, page 2, line 15 by inserting after the part word "ligious" the words "or eleemosynary;" line 15 by striking out fater the word "eleemosynary" the words "or eleemosynary non profit;" line 17 by inserting after the word "thereof" the following words "or schools accredited by accrediting associations approved by the state council of education;" line 19 by striking out after the word "education" the following "or schools accredited by accrediting associations approved by the State Council of Education."

Amend Section 3, page 3, line 3 by striking out after the word "power" the following words "and its duty shall be;" line 5 at the beginning of the line by striking out the words "courses and;" line 6 by striking out all of said line after the word "act" and lines 7, 8, 9, and 10 including the part word "ment."

Amend Section 6, page 4, line 15 by striking out the words "that the applicant is on its accredited list and" after the word "finds."

Amend Section 11, page 6, line 16 by striking out all of said line after the word "fraud" and lines 17 and 18 including the word "representation."

On the question,
Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204			
Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Ned,	Thomassy,

Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Lofthus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Poor,	McCormack,	Sarraf,	Speaker

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 41.

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 11 by striking out after the word "six" and brackets, the word "eight" and inserting in lieu thereof the word "seven."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. O'CONNOR. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Minness,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Handenshteld,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Lofthus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Poor,	McCormack,	Sarraf,	Speaker
Frost,			

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 345.

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the sec-

and class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," to fix terms for which personnel of board of managers shall be elected; to change the method of determining availability for disability pensions; to fix the amount of contributions of members and pension payments to beneficiaries, and to provide in certain circumstances for the return of contributions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 3, by striking out lines 12 and 13 as follows: "Section 2 The title of said act is hereby amended to read as follows".

Amend Section 2, page 4, line 15 by inserting after the word "act" the following: (7) contributions by members to the fund shall be applied annually to pension payments made from the fund where the total contributions by members are insufficient to meet pension payments due the governing body of the municipality shall appropriate sufficient moneys to meet the obligations of the fund in the event that the appropriations made by the city are over and above the annual requirements of the fund such surpluses shall be returned by the pension fund to the general fund of the city

Amend section 13, page 12, line 13 by striking out the bracket before the word "has" and after the word "age"; page 12, line 14, by striking out the bracket before the word "of" and after the word "and" and before and after the word "twenty-five" and by striking out the word "twenty"; Line 17, page 12, by striking out the bracket before and after the word "twenty-five" and the word "twenty"; page 13, lines 2, 3 and 4 by striking out after the word "injury" the following words; upon compliance with such rules and regulations pertaining thereto as may be adopted by the board; page 13, line 10, by striking out after the word "thereunder the following: and remain such during the continuance of his disability A refusal to submit to reasonable physical examination shall constitute a cause for discontinuance of such pension If upon discontinuance of pension in any such case the beneficiary does not return to employment with the Bureau of Police he shall receive all sums he would have received had he quit the employment at the time of his disability less any pension payments made to him

Amend section 14 page 15, by inserting after line 14 the following; provided that the increases in pension payment herein provided shall be deemed cost-of-living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present

Amend section 14, page 16, line 1, by inserting the following: and future pensioners to secure pensions predicated upon such increases such increased pension schedule shall be subject to revision by the general assembly in the event of a decline or a rise in the cost of living provided that in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this amendment.

Amend section 16, page 17, line 7, by striking out the bracket before the word "Any"; page 17, line 10, by striking out the bracket after the word "employment".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Wells,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0.

NOT VOTING—1.

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 365.

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, re-

vising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase.

With the information that the eSnote has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 8 by inserting after the word "fee" the words "and limiting the use of a part of the money derived from such increase."

Amend page 3 after line 7 by adding the following: Section 2 Section two hundred eighty-five of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred twenty-seven (P. L. 494) and as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 285 Fish license fund established all fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designed by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as the Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employees as may be required for the work of the board and such special deputy attorney general assistant deputy attorneys general as may be assigned by the attorney general to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employees of the board of Fish Commissioners

(c) The purchase through the Department of Property and supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employees of the board as may be required to furnish them policies of workmen's compensation insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the capitol buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(g) Necessary repairs and improvements to fish hatch-

eries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the Cruiser "Anna" at Torresdale on the Delaware River

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board [and]

(l) The purchase and acquisition of additional land and water for state fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth

(m) For the refund to County Treasurers of fishing license fees heretofore or hereafter erroneously paid into the fish fund and

(n) The sum of twenty-five cents (25c) from each resident fishing license fee being one-half of the increase in fees provided by this amendment shall be used exclusively for (I) the acquisition in the name of the Commonwealth by purchase of land and trout waters or warm water ponds or lands which because of their natural conditions can be converted into ponds dams or reservoirs anywhere in the Commonwealth or in any part thereof with such rights of ingress or egress to or from such waters as may be necessary to make the same available for use by the citizens of the Commonwealth for fishing and the maintenance thereof (II) the rebuilding of torn out dams and (III) the study of problems related to better fishing all moneys received under the provisions of this clause and all expenditures made from such moneys shall be shown in detail by the board in every annual report or annual statement rendered by it

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purpose hereinbefore enumerated all printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor subject to the foregoing provisions the auditor general shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition

Amend page 11, line 6 by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3"; lines 6, 7 and 8 by striking out after the word "effective" the following "immediately upon final enactment" and inserting in lieu thereof the following "the first day of January one thousand nine hundred forty-eight."

On the question,

Will the House concur in the amendments made by the Senate.

Mr. BRUNNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Roy,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 553.

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within the Commonwealth" increasing the compensation of county auditors.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 7, by striking out after the words "(five dollars)" the following "seven dollars and fifty cents (\$7.50)" and inserting in lieu thereof the following "six dollars (\$6)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. IMBT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Sarra,	Lichtenwalter,
Foor,	McCormack,	Roy,	Speaker.
Frost			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 758..

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" by further defining "State employee" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances an ddefining year of service.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 2, line 7, by inserting after the word "circumstances" the words "and defining year of service."

Amend section 1, page 3, line 6, by inserting after the word "amended" the words "and said section is hereby amended by adding after clause thirteen thereof a new clause."

Amend section 1, page 4, line 5, by inserting the word "future."

Amend section 1, page 7, line 7, by striking out after the word "mean" the words "wherever practicable."

Amend section 1, page 9, line 16, by striking out after the word "was" the word "formally" and inserting in lieu thereof the word "formerly."

Amend section 1, page 20, by inserting the following: "13.1 'Year of Service' shall mean a period of twelve months during which a contributor is a state employe and for which he or she receives an annual salary or other compensation the phrase shall not include any time spent on furlough or leave of absence without pay except while the contributor is in active military service and salary deductions are paid into the retirement fund either during such active military service or thereafter as authorized by existing law when the nature of a contributor's employment or the provisions of law governing the payment of his or her compensation results in no compensation being paid to the employe and no contributions being paid into the retirement fund on his or her behalf during any part of any twelve month period or successive twelve month periods. No period of time either heretofore expired or that shall hereafter occur during which no compensation is paid and no deductions are made shall for the purposes of this act be considered a furlough or leave of absence without pay."

Amend Section 1, page 13, lines 17 and 18, by striking out the words "or a Member of the General Assembly complete his term of office and discontinue service."

Amend Section 1, page 14, line 1, by inserting heavy brackets before and after the word "but" and inserting after the heavy bracket the following: "or should a Member of the General Assembly discontinue his service as such Member voluntarily or involuntarily after having served during five regular sessions of the General Assembly but in any case."

Amend Section 1, page 14, by striking out lines 18 and 19 inclusive.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CLEVINGER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintz,	Snider
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Cyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Jennings,	O'Connor,	Tittle,
Clevenger,	Johnson,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cole,	Jones,	O'Neill,	Turner,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kirley,	Polaski,	Waldron,
Dalrymple,	Kline,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Ragot,	Watkins,
Dennison,	Kurtz,	Readinger,	Watson,
Depuy,	Laughner,	Reagan,	Weidner,
Dix,	Layer,	Reese, D. P.,	Weiss,
Dye,	Lee,	Reese, R. E.,	Wescott,
Efenberg,	Leisey,	Relly, J. M.,	West,
Elder,	Livingston,	Relly, W. J.,	Wheeler,
Erb,	Livingstone,	Richter,	Wolf,
Evans,	Loftus,	Riley,	Wood,
Ewing,	Lovett,	Robbins,	Worley,
Feola,	Lyons,	Robertson,	Yeakel,
Fish,	Madden,	Root,	Yester,
Fiss,	Madigan,	Rose,	Yetzer,
Flack,	Mazza,	Rowen,	Young,
Fleming,	McCormack,	Royer,	Lichtenwalter,
Foor,		Sarr,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1106

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board

for Vocational Education and prescribing penalties" changing the definition of private trade schools and providing for the licensure of agents of such trade schools

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 6, line 3 by inserting heavy bracket before the word "and", page 6, line 5 by inserting heavy bracket after the word "representation".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Welsh,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,			
Feola,			
Fish,			
Fiss,			
Flack,			
Fleming,			
Foor,			
Frost,			

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1180

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revision consolidating and changing the law relating thereto" increasing the compensation of township auditors

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, lines 4 and 5, by striking out after the word "dollars" and bracket the following "seven dollars and fifty cents (\$7.50)" and inserting in lieu thereof the following "six dollars (\$6)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSTON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Welsh,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,

Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 720.

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof concerning powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 8, page 6, lines 18 and 19 by striking out after the word "fraud" the words "and shall conform with the rules and regulations of the Board governing such advertising".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being instructed, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 827.

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 9, page 7, line 1 by striking out after the word "fraud" the following words "and shall conform to the rules and regulations of the State Council governing such advertising or representation".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 161.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 11, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 161, Printer's No. 83, entitled "An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties."

JAMES H. DUFF.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration of final passage of House Bill No. 1286, as follows:

An Act validating certain conveyances of real property and certain agreements concerning real property made by a county home or by the directors of the poor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All conveyances of real property made or entered into by any county home or by the directors of the poor in any county city borough township or poor district prior to the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" are hereby ratified and confirmed whether or not such conveyances were approved by the court of common pleas as required by the provisions of the act approved the twenty-eighth day of April one thousand eight hundred eighty-seven (P. L. 75)

Section 2 All agreements concerning real property made or entered into by any county home or by the directors of the poor in any county city borough township or poor district prior to said act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) are hereby ratified and confirmed whether or not such agreements were approved by the court of Common Pleas as required by the provisions of the act approved the twenty-eighth day of April one thousand eight hundred eighty-seven (P. L. 75)

Section 3 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional by any court of competent jurisdiction the decision shall not effect or impair any of the remaining provisions of this act

On the question,

Shall the bill pass finally?

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Cooper.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. COOPER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, as I understand the amendments which the gentleman from Allegheny, Mr. Cooper, inserted in the bill, after the bill had been recalled from the Governor, validate certain agreements concerning real property, together with deeds, as it was intended by the act originally?

Mr. COOPER. That is correct, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I understand the gentleman is fully aware of the litigation in Allegheny County now concerning an article of agreement which was executed about sixteen years ago and which now is being litigated in the Court of Common Pleas of Allegheny County?

Mr. COOPER. I am, Mr. Speaker.

Mr. BROWN. Mr. Speaker, would the gentleman tell me whether or not that agreement was an agreement which needed the authorization of the Court of Common Pleas?

Mr. COOPER. In answer to the gentleman from Allegheny, I could say that if an order of court under the Act of 1887 is required for validating or for buyers to transfer property by deed, it is also required in connection with agreements.

Mr. BROWN. Mr. Speaker, may I further ask the gentleman whether or not in his own opinion if this Act is passed as it now is drawn, he would say that the only question that can be raised in this litigation now pending in Allegheny County is the question of laches?

Mr. COOPER. I would not, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman tell me what other defense could be raised if this bill is passed other than the question of laches.

Mr. COOPER. Mr. Speaker, I cannot answer that question, because I am not that familiar with the case.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, this bill, House Bill 1286, Printer's No. 892, presents one of the most serious matters that we have had confronting us in our constitutional form of government. The question here is whether or not the legislative branch of government shall utilize its plenary powers by encroaching upon the powers of the judiciary. I believe it is axiomatic and one of the fundamental principles of our constitutional government, that the legislative powers should not transgress upon the powers of the judiciary. If we deviate from that policy we are tearing down fundamental constitutional principles. While I agree with the gentleman and am in sympathy with his desire to validate this agreement, I believe in connection with this matter now before the Court of Common Pleas of Allegheny County, that this Legislature should not encroach upon the powers of the judiciary. On that ground I think that this bill should be defeated.

Mr. COOPER. Mr. Speaker, in validating agreements

without the necessity of procuring an order of court, this bill does not nullify the agreement which is in litigation. It merely says that the order of court is not necessary. I believe it is good legislation and absolutely constitutional, and I ask the members of the House to support the bill.

Mr. HALLER. Mr. Speaker, in order to clarify the record and also to answer the constitutional question injected by the gentleman from Allegheny, Mr. Brown, I want to point out to the Members of the House that there is really no constitutional question involved here. This is purely a validating act. Under the Act of 1887 the Poor Districts could sell real estate and could enter into agreements for the sale of real estate. Down in Allegheny county they did so, with the result that in one section of the city of Pittsburgh we had 60 some homes built on land, title to which came through the Poor Board. It has now developed under the Act of 1887 that the Poor Board should have gotten court approval. As a matter of fact our county of Allegheny procured title in the real estate transaction some years ago without getting this court approval, so consequently the legislation covered by this bill is merely designed to take care of that formal objection and defect, namely court approval after the agreement of sale was entered into in good faith, and consideration passed by the Poor Board.

So far as this legislation is concerned in Pittsburgh at the present time the result of the passage of this bill will have no effect whatever insofar as robbing the courts of this powers to try a case for breach of contract, and whether or not there has been substantial performance or whether or not there has been laches is a matter that will be determined by the courts, regardless of what this legislation does. This bill merely validates an act which was entered into, or any deed that was entered into by the Poor District, and in no way involves a constitutional problem. I urge the Members of the House to support the bill.

Mr. BROWN. Mr. Speaker, I think the gentleman from Allegheny misunderstood me. I am not attacking this question on any constitutional grounds. I know that the gentleman is schooled in law enough to know that when the Legislature utilizes plenary powers and moves to encroach upon the judiciary or the executive, it has a perfect right to do so. Therefore, I want him to understand that I am not attacking the question of a lack of power in this General Assembly to pass this legislation. I am only attacking the question of policy, as to whether or not our plenary power should be used, so far as it encroaches upon the powers of the judiciary.

Mr. Speaker, the gentleman says that there are other questions that could be raised. I should like to ask the gentleman from Allegheny, Mr. Haller, if after this bill becomes law, whether there would be any question before the court other than the question of laches.

Mr. HALLER. Mr. Speaker, in answer to the question interjected by my colleague from Allegheny, Mr. Brown, I would say that any question which might arise before the court in any suit for the performance or non-performance of a contract would arise, whatever that may be, under the rules or laws. The gentleman knows that there are hundreds of clauses that can come up in connection with a contract, but so far as looking into the future is concerned, and guessing what that may be, the only thing I can say is that any number of questions can

be raised before the court. The only question to be determined in this bill is whether we have a valid contract and whether or not a very simple formal defect could not be cured by this legislation.

Mr. TURNER. Mr. Speaker, I agree with the gentleman from Allegheny, Mr. Haller, that there is no infringement upon the powers of the courts by passing this legislation. I simply would like to call to the attention of the House the fact that we have on a number of occasions passed validating acts where matters were in litigation before the courts. The question before the court was determined, and the matter in issue was determined in accordance with the law. We make the law, and that is no infringement upon the powers of the court.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Aaronson,	Gibson,	Lofthus,	Rose,
Baumunk,	Goff,	Lyons,	Rowen,
Beech,	Goodling,	Madden,	Royer,
Bender,	Gorman,	Madigan,	Sax,
Bloom,	Graybill,	Mazza,	Scott,
Bonawitz,	Greenwood,	McCormack,	Serrill,
Boorse,	Greer,	McCosker,	Shoemaker,
Bower,	Griffiths,	McCullough,	Simons,
Breisch,	Guthrie,	McDonald,	Smith, C. C.,
Brice,	Gyger,	McKinney,	Smith, C. M.,
Brunner,	Hall,	McMillen,	Sollenberger,
Cadwalader,	Haller,	Mikula,	Sorg,
Cassidy,	Haudenschild,	Miller,	Sproul,
Clevenger,	Helm,	Mintess,	Stimmel,
Cook,	Henry,	Mohr,	Stockham,
Cooper,	Hewitt,	Moore, C. E.,	Stonier,
Cordier,	Hocker,	Moore, H. A.,	Stuart,
Costa,	Hoffman,	Morrison,	Thomassy,
Crowley,	Hoopes,	Murray,	Thompson,
Dague,	Horan,	Myers,	Tittle,
Dalrymple,	Imbt,	Najaka,	Tompkins,
Davison,	Jennings,	Naumann,	Toomey,
De Long,	Johnson,	Neff,	Turner,
Demech,	Johnston,	Nelson,	Upshur,
Dennison,	Jones,	O'Dare,	Vaughan,
Depuy,	Jump,	O'Donnell,	Wachhaus,
Dix,	Kean,	Orban,	Wagner,
Dye,	Kelley,	Patten,	Waldron,
Efenberg,	Kemp,	Pichney,	Walton,
Eldred,	Kent,	Pickens,	Waterhouse,
Erb,	Kline,	Price,	Watkins,
Ewing,	Kohl,	Propert,	Watson,
Feola,	Kratz,	Ragot,	Weldner,
Fish,	Krise,	Readinger,	Wescott,
Fiss,	Kurtz,	Reese, D. P.,	West,
Flack,	Laughner,	Reilly, J. M.,	Wolf,
Fleming,	Layer,	Reilly, W. J.,	Wood,
Foor,	Lee,	Richter,	Worley,
Frost,	Leisey,	Riley,	Yeakel,
Gallagher,	Livingston,	Robbins,	Young,
Getchey,	Livingstone,	Robertson,	Lichtenwalter,
		Reagan,	Speaker.

NAYS—36

Andrews,	Chudoff,	Needham,	Schuster,
Bane,	Cochran,	O'Connor,	Snider,
Barrett,	Cole,	O'Neill,	Stank,
Bentzel,	Evans,	Petrosky,	Swope,
Boies,	Kirley,	Polaski,	Verona,
Brown,	Lovett,	Powers,	Welss,
Bucchin,	Mihm,	Reese, R. E.,	Wheeler,
Capano,	Mills,	Sarrafi,	Yester,
Chervenak,	Mooney,	Scanlon,	Yetzer,

NOT VOTING—4

Root,	Tahl,	Trout,	Wallin,
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The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 12.

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by increasing the salary of the prothonotary in counties of the sixth class.

Referred to the Committee on Counties.

SENATE BILL No. 94.

An Act to fix salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the court of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing certain acts inconsistent herewith.

Referred to the Committee on State Government.

SENATE BILL No. 155.

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary.

Referred to the Committee on City and County—First Class.

SENATE BILL No. 156.

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover the deficiency accumulated up to May 31, 1945.

Referred to the Committee on Appropriations

SENATE BILL No. 173.

An Act to further amend section fourteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" increasing the salary of the Recorder of Deeds in counties of the fourth class.

Referred to the Committee on Counties.

SENATE BILL No. 264.

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Com-

monwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employees.

Referred to the Committee on Education.

SENATE BILL No. 429.

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution, an educational program in industrial and labor relations; stating the objectives and purposes of said program; conferring obligations and duties on the trustees and president of said institution; providing for the establishment of an advisory committee, its appointment and defining its powers and duties; and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 463.

An Act to amend section two hundred of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction up on courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weight measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon appeals prescribing fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations increasing salaries of the chairman and the members of the commission.

Referred to the Committee on State Government.

SENATE BILL No. 539.

An Act making an appropriation to the Department of Welfare for the tditional maintenance of certain hospitals in certain out-patient and dispensary service.

Referred to the Commission on Appropriations.

SENATE BILL No. 607.

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which time the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgages lien holders and other encumbrance holders.

Referred to the Committee on Municipal Corporations.]

SENATE BILL No. 689.

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by providing further for the assessment, collection and lien of the tax, granting certain enforcement and investigatory powers to taxing authorities, and imposing duties on certain county officers.

Referred to the Committee on Ways and Means.

SENATE BILL No. 715.

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 742.

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws.

Referred to the Committee on Ways and Means.

SENATE BILL No. 777.

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts

and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 827.

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the board of public education receiver of school taxes and school treasurer in such districts and providing penalties.

Referred to the Committee on Ways and Means.

SENATE BILL No. 829

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

Referred to the Committee on Appropriations.

SENATE BILL No. 837.

An Act to amend clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licenship and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" further regulating the licensing of dental hygienists.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 841.

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-power to in corporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its supplements as authorize aldermen justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morgantown.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 843.

An Act making an appropriation to the Department of Public Instruction for administering its program of inservice training.

Referred to the Committee on Appropriations.

SENATE BILL No. 847.

An Act to amend section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof

including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employees of institutions and of the courts.

Referred to the Committee on State Government.

SENATE BILL No. 848.

An Act increasing the salaries of all elected county officers of counties of the first class.

Referred to Committee on City and County—First Class

SENATE BILL No. 850.

An Act to add section twelve point one to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

Referred to the Committee on State Government.

SENATE BILL No. 851.

An Act to add section eleven point one to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purpose thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

Referred to the Committee on State Government.

SENATE BILL No. 852.

An Act to provide revenue for public school purposes in school districts of the first class imposing taxes upon certain classes of personal property providing for the

assessment and collection of the same imposing duties on county assessing authorities boards of revision of taxes receivers of school taxes imposing duties on and providing for compensation to certain county treasurers and providing penalties.

Referred to the Committee on Ways and Means.

SENATE BILL No. 860.

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Mr. KELLEY

RESOLUTION No. 69.

In the House of Representatives, June 11, 1947.

Whereas, The General Assembly in 1919, passed an act under which the Commonwealth of Pennsylvania dedicated to public use as an historical memorial, certain lands and buildings in the borough of Ambridge, fifteen miles west of Pittsburgh, theretofore the property of the Harmony Society; and

Whereas, These lands and buildings were dedicated as a memorial to the Harmony Society and the preservation, restoration, custody and maintenance of Old Economy Park and the memorial was delegated to the Pennsylvania Historical Commission, which commission later placed the care and restoration of the same in the hands of The Harmony Society Historical Association; and

Whereas, The Harmony Society Historical Association has continued to carry out its trust and has had many many years and many rich years, particularly in 1937 when together with the Pennsylvania Historical Commission received on behalf of the Commonwealth an invaluable collection of books, documents, furniture, paintings and relics from Dr. John S. Duss and his wife, which collection is known as the "Duss Memorial Exhibit", and which articles were formerly in the buildings of The Harmony Society; and

Whereas, Not only has Dr. Duss and his wife contributed many invaluable gifts to the memorial, but he has also given during the twenty-eight years since its establishment, much of his time, and energy in furtherance of the memorial and because of his having been a member of the Harmony Society since 1862, and as a result of his he has been able to give incalculable assistance to Mr. the restoration of the buildings, and to others in setting aside and intimate knowledge of its affairs and history. Charles M. Stotz, the conscientious architect in charge of the exhibits of relics and its other contents; and

Whereas, The Harmony Society Historical Association has also had the continued and enthusiastic support through the years of an organization known as the Economy Old Timers of whom Christiana Knoedler, its corresponding secretary, has carried much of the work and responsibility; therefore be it

Resolved, That we as members of the House of Representatives do congratulate The Harmony Society Historical Association for its faithful and successful execution of its trust; Dr. John S. Duss and his wife for their generous kindness and Dr. Duss's untiring efforts and the Economy Old Timers and its recording secretary Christiana Knoedler for their and her help in carrying out a great historical trust; and be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to the associations and persons herein congratulated as a token of our appreciation for their unselfish efforts in keeping one of Pennsylvania's treasures intact for the inspiration of our contemporaries and our descendants.

Referred to the Committee on Rules.

HOUSE BILL No. 195 AND MESSAGE TAKEN FROM TABLE

Mrs. DYE. Mr. Speaker, I move that House Bill No. 195, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 195.

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties;

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 2, lines 1, 2, 3 and 4 by striking out after the word "Employer" the following: "includes any person natural or artificial acting directly or indirectly in the interest of any employer in relations with an employee" and inserting in lieu thereof the following: "shall mean any one who employs employees."

Amend section 2, page 2, after the line 15 by inserting the following:

Provided However that nothing herein contained shall prohibit a variation in salary or wage rates based upon either difference in seniority experience training skill or ability or difference in duties and services performed either regularly or occasionally or difference in the shift or time of the day worked or difference in availability for other operations or any other reasonable differentiation except difference in sex and provided further that nothing herein contained shall prohibit a variation in salary or wage rates as between the sexes where the same is provided by a contract between the employer and the recognized bargaining agent of the employees

Amend Section 4, page 4, line 5 by inserting at the beginning of the line "wilfully and knowingly"; lines 9 and 10 by striking out after the word "employees" the following "for and in behalf of herself or themselves and other employees similarly situated"; line 19 by striking out after the word "action" the words "The secretary shall"; page 5, lines 1 and 2 by striking out the following "have power to join various claimants against the employer in one cause of action"; after line 5 by inserting the following:

(C) Any employee may directly or through his attorney agent or collective bargaining representative waive compromise adjust settle or release any claim which such employee may have under this act either before or after commencement or suit thereon and a waiver compromise adjustment settlement or release of any such claim by such employee or his attorney agent or collective bargaining representative shall be a complete satisfaction of such claim and a complete bar to any action based on such claim

Amend Section 7, page 6, line 10 by inserting after the word "who" the following words "wilfully and knowingly"; page 7, after line 2 by inserting the following:

No action shall be maintained to the extent such action is based upon any act done or omitted to be done in good faith consistent with or in reliance on any administrative regulation order ruling interpretation enforcement policy or practice notwithstanding that after such act or omis-

sion such order ruling administrative regulation interpretation policy or practice is modified rescinded or declared by judicial authority to be invalid or of no legal effect

On the question,

Will the House concur in the amendments made by the Senate?

Mrs. DYE. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 952 AND MESSAGE TAKEN FROM TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 952, together with the message from the Senate, be taken from the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 952.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employees to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, line 18 by striking out the bracket before the word "Provided"; page 5, line 1 by inserting before and after the word "section" a heavy bracket and after the word "section" by inserting the word "subsection"; page 5, line 8 by striking out the bracket after the word "conditions"; same line by inserting after the word "conditions" the words "and that" and by inserting heavy brackets around the word "In" and inserting the word "in"; page 5, lines 12, 13, 14, 15 and 16 by inserting after the brackets and letter "t" the following: "and provided further that the provisions of this subsection shall not apply in the event of a stoppage of work which exists because of a labor dispute within the meaning of subsection (d)"

Amend section 1, page 6, line 14, by striking out the word "suspension" and inserting in lieu thereof the word "stoppage"; line 15, by striking out after the word "work" the words "resulting from an industrial" and inserting in lieu thereof the following "which exists because of a labor"; line 17, by striking out after the word "employed" the word "as"; and by inserting after the word "con-

tinues" the following: "provided that this subsection shall not apply if it is shown that (1) he is not participating in or directly interested in the labor dispute which caused the stoppage of work and (2) he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs any of whom are participating in or directly interested in the dispute provided that if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises each such department shall for the purpose of this subsection be deemed to be a separate factory establishment or other premises

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 826 AND MESSAGE TAKEN FROM TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 826, together with the message from the Senate, be taken from the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 826.

An Act relating to strikes by public employees prohibiting such strikes providing that such employees by striking terminate their employment providing for reimbursement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3 by inserting after line 4 the following: "for the further purpose of equitably carrying out the provisions of this act in order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances the governmental agency involved at the request of the public employees shall set up a panel of three members one to be selected by the employees one by the governmental agency and the two so selected to select a third member the members of the panel shall be compensated at the rate of twenty-five dollars (\$25.00) per day together with all necessary traveling expenses; the panel shall meet within fifteen (15) days if the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted if the conference negotiations do not result in rulings satisfactory to all parties concerned the panel shall afford the public employees and the government agency a full hearing after which the panel shall make their findings copy of which shall be sent to the governor to the general assembly and to the head of the agency or political subdivision involved upon receipt of the findings of the panel the governor or the head of the state agency or political subdivision involved may take

administrative measures to remedy the complaints if the governor or the head of the state agency or political subdivision finds that the situation complained of can only be remedied by legislative action the governor may refer the matter to the legislature for correction or the head of the state agency or political subdivision may refer the matter to the proper law-making body if the members of the panel decide that legal counsel is necessary they may with the approval of the attorney general engage local counsel to advise them on the questions involved.

Amend page 5, Section 2, line 6 by striking out the words "of this Commonwealth."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 1001 AND MESSAGE TAKEN FROM TABLE

Mr. RAGOT. Mr. Speaker, I move that House Bill No. 1001, together with the message from the Senate, be taken from the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1001.

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, line 2 by striking out the word "department" and inserting in lieu thereof the word "secretary."

Amend section 1, line 1, page 2 by inserting after the word "Industry" the following "after such persons or association of persons have been organized as provided by law."

Amend section 3, page 2, line 16 by striking out the word "him" and inserting in lieu thereof the word "it"; page 2, line 19 by striking out the word "He" and inserting in lieu thereof "the Secretary of Labor and Industry."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. RAGOT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. ANDREWS. Mr. Speaker, on House Bill 1001 and 1076, insofar as the Senate amendments are concerned, we take a purely parliamentary position. We were opposed to these bills in the beginning. They were bad bills when they went to the Senate. They may have been slightly improved in the Senate but they are still bad bills. The only way that these bills could fall would be to refuse to concur with the Senate and have the bills fall in Conference Committee, and because our opposition to

these bills is continuous we are inclined to nonconcur and will be satisfied with a party vote.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—142

Aaronson,	Greenwood,	McCosker.	Serrill.
Baumunk.	Greer,	McDonald,	Simons.
Beech,	Griffiths,	McKinney.	Smith, C. C.
Bender,	Guthrie,	McMillen,	Smith, C. M.
Bonawitz,	Gyger,	Mintess,	Sollenberger,
Boorse,	Hall,	Mohr,	Sorg,
Bower,	Haller,	Moore, C. E.,	Sproul,
Brown,	Haudenschild,	Moore, H. A.,	Stimmel,
Brunner,	Helm,	Morrison,	Stockham,
Cadwalader,	Henry,	Murray,	Stonier,
Cassidy,	Hewitt,	Myers,	Stuart,
Clevenger,	Hocker,	Naumann,	Tahl,
Cook,	Hoffman,	Neff,	Thompson,
Cooper,	Hoopes,	Nelson,	Tittle,
Costa,	Horan,	O'Dare,	Tompkins,
Davison,	Jmbt,	O'Donnell,	Toomey,
De Long,	Jennings,	Orban,	Turner,
Dennison,	Johnson,	Patten,	Upshur,
Deputy,	Johnston,	Pichney,	Vaughen,
Dix,	Jones,	Pickens,	Wagner,
Dye,	Kean,	Price,	Waldron,
Efenberg,	Kelley,	Proper,	Wallin,
Elder,	Kent,	Ragot,	Walton,
Ewing,	Kratz,	Reagan,	Waterhouse,
Feola,	Krise,	Reese, D. P.,	Watson,
Fish,	Kurtz,	Reilly, J. M.,	Weidner,
Fiss,	Laughner,	Reilly, W. J.,	Wescott,
Flack,	Laver,	Richter,	West,
Fleming,	Lee,	Riley,	Wolf,
Foor,	Lelsey,	Robbins,	Wood,
Frost,	Livingston,	Robertson,	Worley,
Gallagher,	Loftus,	Root,	Yeakel,
Gibson,	Lyons,	Rose,	Young,
Goodling,	Madden,	Rowen,	Lichtenwalter,
Gorman,	Madigan,	Royer,	Speaker.
Graybill,	McCormack,	Sax,	

NAYS—58

Andrews,	Dalrymple,	Miller,	Schuster,
Bane,	Demech,	Mills,	Scott,
Barrett,	Erb,	Mooney,	Shoemaker,
Bentzel,	Evans,	Najaka,	Snider,
Bloom,	Getchey,	Needham,	Stank,
Boles,	Coff,	O'Connor,	Swope,
Breisch,	Jump,	O'Neill,	Thomassy,
Bucchin,	Kemp,	Petrosky,	Verona,
Capano,	Kirley,	Polaski,	Wachhaus,
Chervenak,	Kohl,	Powers,	Watkins,
Chudoff,	Livingstone,	Readinger,	Wells,
Cochran,	Lovett,	Reese, R. E.,	Wheeler,
Cole,	Mazza,	Sarra,	Yester,
Cordier,	Mihm,	Scanlon,	Yetzer,
Crowley,	Mikula,		

NOT VOTING 5

Brice,	Kilne,	McCullough,	Trout,
Dague,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 1076 AND MESSAGE TAKEN FROM TABLE

Mr. SORG. Mr. Speaker, I move that House Bill No. 1076, together with the message from the Senate, be taken from the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1076.

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring certain additional labor practices by employes to be unfair

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 4, line 19 by inserting after the word "is" the word "not"; page 5, lines 1 and 2 by striking out after the word "place" the following: "being picketed while a strike is in progress affecting the place of employment" and inserting in lieu thereof the words "of employment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Aaronson,	Gorman,	McCormack,	Sax,
Baumunk,	Graybill,	McCosker,	Serrill,
Beech,	Greenwood,	McDonald,	Simons,
Bender,	Greer,	McKinney,	Smith, C. C.,
Bloom,	Griffiths,	McMillen,	Smith, C. M.,
Bonawitz,	Guthrie,	Mintess,	Sollenberger,
Boorse,	Gyger,	Mohr,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stonier,
Brunner,	Helm,	Murray,	Stockham,
Cadwalader,	Henry,	Myers,	Stuart,
Cassidy,	Hewitt,	Naumann,	Tahl,
Clevenger,	Hocker,	Neff,	Thompson,
Cook,	Hoffman,	Nelson,	Tittle,
Cooper,	Hoopes,	O'Dare,	Tompkins,
Costa,	Horan,	O'Donnell,	Toomey,
Davison,	Imbt,	Orban,	Turner,
De Long,	Jennings,	Patten,	Upshur,
Dennison,	Johnson,	Pichney,	Vaughan,
Depuy,	Jones,	Pickens,	Wagner,
Dix,	Kelley,	Propert,	Waldron,

Dye,
Elder,
Ewing,
Feola,
Fish,
Fliss,
Flack,
Fleming,
Foor,
Frost,
Gallagher,
Gibson,
Goodling,

Kent,
Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Leisey,
Livingston,
Loftus,
Lyons,
Madden,
Madigan,

Price,
Ragot,
Reagan,
Reese, D. P.,
Relly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Wescott,
West,
Wolf,
Wood,
Worley,
Yeakel,
Young,
Lichtenwalter,
Speaker.

NAYS—59

Andrews,
Bane,
Barrett,
Bentzel,
Boies,
Brown,
Bucchin,
Capano,
Chervenak,
Chudoff,
Cochran,
Cole,
Cordier,
Crowley,
Dalrymple,

Demech,
Efenberg,
Erb,
Evans,
Getchey,
Goff,
Johnston,
Jump,
Kean,
Kemp,
Kirley,
Kohl,
Livingstone,
Lovett,
Mazza,

Mihm,
Mikula,
Miller,
Mills,
Mooney,
Najaka,
Needham,
O'Connor,
O'Neill,
Petrosky,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Sarraf,

Scanlon,
Schuster,
Scott,
Snider,
Stank,
Swope,
Thomassy,
Verona,
Wachhaus,
Weidner,
Weiss,
Wheeler,
Yester,
Yetzer,

NOT VOTING—3

Dague,
Kline,

McCullough,

Shoemaker,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

Mr. BOORSE asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

RECONSIDERATION OF VOTE

Mr. WALTON. Mr. Speaker, I move that the vote by which the report of the Committee on Conference on House Bill No. 1046 was adopted be reconsidered.

Mr. STOCKHAM. Mr. Speaker, I second the motion. The SPEAKER. How did the gentleman from Philadelphia, Mr. Walton, vote on adopting the report of the Committee of Conference?

Mr. WALTON. In the majority, Mr. Speaker.

The SPEAKER. How did the gentleman from Bucks, Mr. Stockham vote on adopting the report of the Committee of Conference?

Mr. STOCKHAM. In the majority, Mr. Speaker.

The motion was agreed to.

BILL RECOMMITTED

Mr. WALTON. Mr. Speaker, I move that House Bill No. 1046 be recommitted to the Committee of Conference.

The motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 466 FROM GOVERNOR

Mr. McMILLEN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 11, 1947.

Resolved, (if the Senate concurs), That House Bill No. 466, Printer's No. 628, entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 717, as follows:

An Act making an appropriation to Department of Public Instruction for use at the State Teachers' College and Pennsylvania Soldiers' Orphan School for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of six million two hundred forty-one thousand nine hundred ninety dollars (\$6,241,990) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for use at State Teachers' Colleges and Pennsylvania Soldiers' Orphan School for the payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of instructional equipment furnishings and furniture and for the payment of the costs of necessary plans specifications advertising for bids supervision architectural and engineering and surveying fees therefor as hereinafter set forth in the amounts specified

I Bloomsburg State Teachers' College

For the payment of the costs of replacing boiler house equipment with two stokers lounge facilities in Waller Hall Gymnasium and converting Noetting Hall into an adult class-room building two hundred sixty thousand dollars (\$260,000)

For the purchase of library books and other equipment twelve microscopes three pianos linotype twelve sets of type and payment of the costs of piano reconditioning twenty-two thousand seven hundred fifty dollars (\$22,750)

II California State Teachers' College

For the payment of the costs of the installation of shower rooms fire towers and an emergency lighting and fire alarm system in dormitories exterior and interior painting enlargement of kitchen and storage rooms roofing flooring installation of a water softening plant and the replacement of drinking fountains two hundred eighty-four thousand dollars (\$284,000)

For the purchase of print shop machine shop equipment class-room lighting equipment physics apparatus for State College engineering students library books lounge parlor class-room and office furniture sound projector and speech-recording equipment forty-six thousand five hundred dollars (\$46,500)

III Cheyney Training School for Teachers

For the payment of the costs of flooring and lavatory for the library converting attics of Emlen and Bailey Halls into dormitories masonry conversion of barn into a residence hall remodeling of Brinton and Smith cottages

improvement of tennis courts and athletic field extension of sewage disposal plant and grading and lighting roads two hundred nine thousand dollars (\$209,000)

For the purchase of library books and periodicals complete equipment of electrical laboratory and printing shop equipment expanding machine shop playground equipment and pianos and home economics equipment twenty-one thousand five hundred dollars (\$21,500)

IV Clarion State Teachers' College

For the payment of the costs of boilers in the power house walkin tunnel for heat pipes roofing water softening equipment painting flooring completion of swimming pool plastering and painting of dormitory rooms plumbing electrical equipment wiring heating system repairs and construction of fire escape tower and fireproof stairwells three hundred fifty-six thousand dollars (\$356,000)

For the purchase of library books two motion picture projectors two tri-purpose projectors four projector screens and laboratory equipment ten thousand six hundred fifty dollars (\$10,650)

V East Stroudsburg State Teachers' College

For the payment of the costs of completing toilet and shower rooms in Stroud Hall repainting rewiring replastering and other alterations in Oakes Stroud Shawnee Halls and Wayne Gymnasium installation of heating system enlarging stage of auditorium and providing facilities for speech department draperies and curtains renovation of faculty houses and an incinerator five hundred twelve thousand dollars (\$512,000)

For the purchase of library books science equipment and lockers for the gymnasium fourteen thousand dollars (\$14,000)

VI Edinboro State Teachers' College

For the payment of the costs of an emergency lighting system in Reeder all laundry equipment infirmary renovation remodeling and equipment for kitchen plastering flooring painting exterior and interior plumbing and weather-stripping one hundred seventy-two thousand dollars (\$172,000)

For the purchase of new stoves deep fat frier and a dumb waiter for the kitchen dormitory furniture and screens library sound projector and photographic equipment twenty-five thousand three hundred dollars (\$25,300)

VII Indiana State Teachers' College

For the payment of the costs of plumbing rewiring various buildings replacement of motors roofing remodeling of house for use as men's dormitory exterior painting replacing coal storage bins and unloading platform kitchen remodeling and additional refrigeration erection of fencing and the purchase of gate posts and framework to enclose athletic field and tennis courts replacing worn out concrete steps laundry equipment bleachers replacing those condemned classroom remodeling for instructional purposes remodeling of room for a college post office flooring furniture for Recreation Hall and dormitories three hundred forty-six thousand five hundred dollars (\$34,500)

For the purchase of one hundred type writers three recording machines twenty pianos refrigerators stoves ironers washers dryers art equipment books and furniture for the library sound projector scientific equipment and supplies mimeograph and desks and file cases twenty-six thousand dollars (\$26,000)

VIII Kutztown State Teachers' College

For the payment of the costs of fire towers infirmary remodeling heating plant and steam lines flooring in various buildings drainage in basement of auditorium replacement of doors doorjams locks in dormitory rooms remodeling of help quarters including fire alarm extension storage facilities for chemicals and laboratory equipment fireproof storage space in dormitory kiln room facilities for art training painting exterior and interior book elevator repairs and potato storage space three hundred thirty-two thousand dollars (\$332,000)

For the purchase of analytical balances and centrifuges physics apparatus two pianos graphic arts equipment thirty microscopes and storage space therefor Magnavox

record-player art and architecture education slides sound projector amplified rectifier and speakers sixteen (16) millimeter projector microfilm reading machines and films speedgraphic camera omega dark room equipment prints for preparation of art supervisors lithographic press and eighteen filing cabinets twenty-three thousand eight hundred ninety dollars (\$23,890)

IX Lock Haven State Teachers' College

For the payment of the costs of renovating or replacing Recitation Hall roofing exterior painting renovation of men's and women's dormitories and Administration Building lighting and plumbing repairs to women's gymnasium flooring and heating repairs to Elementary School and extending flooring in Field Huse four hundred ninety-seven thousand dollars (\$497,000)

For the purchase of physics laboratory equipment classroom furniture anatomy and physiology laboratories library books projectors audiometers recorders typewriters filing cabinets and classroom films twenty-two thousand nine hundred dollars (\$22,900)

X Mansfield State Teachers' College

For the payment of the costs of boilers and heating renovation and replacing worn-out equipment in kitchen and bake shop replacement of refrigeration and cooling system rehabilitation of interior of South Hall to remove fire hazards replacement of flooring and stairs in North Hall and Dining Hall rehabilitation wiring lighting fixtures in Education Center replacement of roofing Straughn Auditorium Student Center Science Building Junior High Campus School North Hall South Hall and exterior painting of all campus buildings three hundred thirty-five thousand dollars (\$335,000)

For the purchase of gymnasium and science laboratory equipment classroom furniture musical instruments and pianos library books maps and globes twenty-eight thousand dollars (\$28,000)

XI Millersville State Teachers' College

For the payment of the costs of the replacement of wooden stairways in the women's dormitory with fireproof stairwells roofing repairs to three buildings painting of college buildings a refrigeration plant replacement and renovation of floors in various buildings lighting toilet and lavatory facilities in the women's dormitory hot water generator cement walks and heating plant renovation one hundred fifty-six thousand five hundred dollars (\$156,500)

For the purchase of replacing equipment in Industrial Arts Department science laboratory visual education speech correction and health and physical education equipment twenty thousand five hundred dollars (20,500)

For the purpose of reconditioning the College Chapel forty thousand dollars (\$40,000)

For the purpose of reconditioning the industrial arts building including repairs to windows and removal of hazards on roof and correcting faulty brick work also reconditioning junior high school shop twenty-five thousand dollars (\$25,000)

For the conversion of old heating plant into carpenter paint electrical and other workshops and storage rooms thirty thousand dollars (\$30,000)

For reconditioning domestic building repairing plaster woodwork lighting et cetera twenty thousand dollars (\$20,000)

For repairs to dining room and kitchen fifteen thousand dollars (\$15,000)

For repairs to Prince Street house including repairs to sills weatherboarding painting plumbing and removal of out kitchen five thousand dollars (\$5000)

For repairs to Frederick Street house including weatherboarding lighting four thousand dollars (\$4000)

XII Shippensburg State Teachers' College

For the payment of the costs of fireproof walls and stairs replacing open wooden stairs in Horton Hall installation of water mains to serve new buildings replacement of water lines to toilet rooms in older buildings the remodeling of and alterations to the heating plant boilers coal handling equipment coal storage bunkers new brick stack and renovation of the old gymnasium for use

as the College Community Center three hundred eighty-eight thousand dollars (\$388,000)

For the purchase of furniture fixtures and business machines in the Department of Business Education laboratory equipment in the Department of Science pianos in the Department of Music projectors lanterns screen and cameras educational films and slides in the Department of Visual Education and gymnasium mats and covers in the Department of Health and Physical Education twelve thousand dollars (\$12,000)

XIII Slippery Rock State Teacher's College

For the payment of the cost of complete rehabilitation of the power plant connecting it to the present stack rehabilitation of South Hall completion of electric wiring water system completion fire alarm systems chapel improvements renovating and fencing playground for the Laboratory School addition of West Hall to the Laboratory School addition of West Hall to the Laboratory School lighting painting and partitions to Administration offices rehabilitation of Registrar's Office and storage vault for scholastic records seven hundred twenty-two thousand dollars (\$722,000)

For the purchase of shop equipment for industrial arts training in Laboratory School furniture for dormitories and recreational but library books gymnasium thirty thousand five hundred dollars (\$30,500)

XIV West Chester State Teachers' College

For the payment of the costs of fire towers completing electrical repairs general heating and plumbing repairs installation of tile floors in women's toilets and food storeroom replacement of steps roof replacement and repair new floor plastering interior and exterior painting power house equipment ventilation system repairs ranges for dining hall sound proofing of auditorium dining hall three hundred fifty-two thousand dollars (\$352,000)

For the purchase of library books fifteen practice pianos motion picture projectors with photomicrographic cameras microscopes and microprojector chemistry equipment Magnavox portable phonographs maps globes and atlases pianos two electric pipe-organs three console radios fifty hurdles for track and field use field glasses binoculars magnifiers physics apparatus paraffin embedding oven and rotary microtome for biological laboratories and FM broadcasting system sixty-one thousand five hundred dollars (\$61,500)

XV Pennsylvania Soldiers' Orphan School

For the payment of the costs of remodeling main dormitory building a new laundry and dry cleaning plant and purchasing equipment therefor providing a three story (six room) addition to school building building a new pump house and purchasing equipment therefor for construction of indoor swimming pool addition to gymnasium eight hundred fifteen thousand dollars (\$815,000)

Section 2 The moneys hereby appropriated may be used at each State Teachers' College in whole or in part for the carrying out of the projects enumerated or any of them according to the determination of their necessity by the Board of Trustees at each such institution with the approval of the Superintendent of Public Instruction

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.
Bloom,	Greer,	Mills,	Smith, C. M.
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,

Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hooker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Proper,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Lauehner,	Reese, D. P.,	Weiss,
Dye,	Laver,	Reese, R. E.,	Westcott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 783 as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts or appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes

or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred one of act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1101 Notice of Settlement (a) Promptly after the date of any settlement the Department of Revenue shall send by mail or otherwise a copy thereof to the party with whom or with which the settlement was made

(b) Promptly after the date of any settlement which the Department of the Auditor General and the Treasury Department are by this act authorized to make the Department of the Auditor General shall send by mail or otherwise a copy thereof to the party with whom or with which the settlement was made

(c) Where the Secretary of the Commonwealth claims that bonus is due from any domestic corporation under any act of Assembly and such claim is disputed the Secretary of the Commonwealth shall make a settlement for the amount of bonus claimed to be due and shall send by mail or otherwise a copy thereof to the party with which the settlement is made

Section 2 Section one thousand one hundred two of said act as last amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 259) is hereby further amended to read as follows

Section 1102 Petition for Resettlement Within ninety (90) days after the date upon which the copy of any settlement was mailed to the party with whom or with which the settlement was made such party or the Commonwealth of Pennsylvania may file with the department which made it a petition for resettlement

Every petition for resettlement shall fully state the reasons which the petitioner believes entitle him or it to such resettlement

It shall be the duty of the department with which the petition was filed within six (6) months after the date of any settlement to dispose of any petition for resettlement

In the case of petitions for resettlement filed with the Department of Revenue the disposition of the petition shall be subject to the approval of the Department of the Auditor General as in the case of original settlements and if the two departments shall be unable to agree the case shall be submitted to the Board of Finance and Revenue

by the Department of Revenue. The Board of Finance and Revenue shall decide every such case within three (3) months from the date of the submission thereof and in case of its failure to reach a decision within such period the disposition of the Department of Revenue shall automatically become valid and the Board of Finance and Revenue shall immediately return to the Department of Revenue all of the papers appertaining to the case.

In the case of petitions for resettlement filed with the Department of the Auditor General the petition shall be disposed of by the joint action of that department and of the Treasury Department as in the case of original settlements.

In the case of petitions for resettlements filed with the Department of State the petition shall be disposed of solely by that department.

Notice of the action taken upon any petition for a resettlement shall be given to the petitioner promptly after the date of resettlement by the department with which the petition was filed.

Section 3 Section one thousand one hundred three of said act as last amended by the act approved the seventh day of May one thousand nine hundred forty-five (P. L. 259) and the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 528) is hereby further amended to read as follows:

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General or of the Department of State of the action taken on any petition for a resettlement filed with it the party with whom the settlement was made or the Commonwealth of Pennsylvania may by petition request the Board of Finance and Revenue to review such action.

Every petition for review filed hereunder either shall state specifically therein the reasons upon which the petitioner relies or shall incorporate by reference the petition for resettlement in which such reasons shall have been stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true. If the petitioner be a corporation joint-stock association or limited partnership the thereof. A petition for review may be amended by the affidavit must be made by one of the principal officers petitioner at any time prior to the hearing thereon as hereinafter provided.

The Board of Finance and Revenue shall list and hear such petitions within three months after they have been received and shall act finally in disposition of such petitions within six months after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within six months the action taken upon the petition for resettlement shall be deemed sustained.

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity.

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner.

Section 4 Section one thousand one hundred eight of said act as amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 528) is hereby further amended to read as follows:

Section 1108 Payment of Accounts Without Prejudice to Right of Resettlement Review and Appeal

Any person association corporation public officer or other debtor who or which is required to make to the Department of Revenue a report upon the basis of which any bonus tax or other charge is to be settled or assessed shall have the right at any time to pay to the Department of Revenue of any bonus tax or other charge due or deemed by him it or them to be due with interest if any as is then due and payable thereon without prejudice to his its or their right to present and prosecute a petition for resettlement or redetermination to the Depart-

ment of Revenue a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the time provided by law.

The payment by any corporation of bonus settled against it by the Secretary of the Commonwealth shall not pre-resettlement to the Department of State a petition for justice its right to present and prosecute a petition for review to the Board of Finance and Revenue or an appeal to the court of common pleas of Dauphin County in the manner and within the times provided by law.

Whenever the principal amount due upon a settlement determination resettlement or redetermination or the principal amount determined to be due upon a petition to the Board of Finance and Revenue or to the Department of State and the person association corporation public officer or other debtor against whom such settlement has been made is satisfied therewith or whenever the principal amount due upon the final judgment entered on any appeal is less than the principal amount paid to the Department of Revenue or to the Department of State the Department of Revenue or the Department of State shall enter a credit in the amount of such difference to the account of such person association corporation public officer or other debtor. Such credit may be used by the person association corporation public officer or other debtor to whose account it is entered in payment of any tax bonus or other claim which may be or become due from him it or them to the Commonwealth and if all such assigned to any other person association corporation public officer or other debtor and such assignee may use it in payment of any such obligation to the Commonwealth.

Section 5 This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, E. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,

Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. Watkins.

The House resumed the consideration on final passage of House Bill No. 641, as follows:

An Act fixing the salary of county controllers in counties of the third fourth fifth and sixth classes and repealing parts of acts inconsistent therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salary of county controller is hereby fixed as follows

Counties of the third class six thousand dollars (\$6000)

Counties of the fourth class five thousand dollars (\$5000)

Counties of the fifth class four thousand dollars (\$4000)

Counties of the sixth class three thousand dollars (\$3000)

Section 2 The following acts and their amendments are hereby repealed in so far as they relate to the salary of county controllers

The act approved the third day of May one thousand nine hundred twenty-seven (P. L. 516) entitled "An act fixing the salaries of the county controller recorder of deeds and clerk of courts in counties of the third class"

The act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants

The act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1006) entitled "An act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act"

All other acts and parts of acts inconsistent with this act are hereby repealed

Section 3 This act shall take effect at the expiration of the terms of the present incumbents in the office of controller in such counties

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Heim,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buochin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Proper,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—1

Goodling,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 116, as follows:

An Act to further amend Article III of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provisions of

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article III of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended by adding after section three hundred four a new section to read as follows

Section 305 Legislative Members of Independent Administrative Boards and Commissions Every independent administrative board or commission now existing or hereafter created and organized under the provisions of this act or by any other law shall in addition to the number of members of such board or commission prescribed by the act creating such board or commission have either two (2) or four (4) additional members one (1) or two (2) of whom as the case may be shall be chosen by the Governor from the House of Representatives and one (1) or two (2) from the Senate of the Commonwealth of Pennsylvania The members of the boards and commissions who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership The members of such boards or commissions required under the provisions of this act shall be appointed during each odd-numbered year and shall continue as members of such board or commission until the first day of February of the next odd-numbered year or until such member is no longer a member of the House of Representatives or the Senate of the Commonwealth of Pennsylvania in which event a vacancy shall occur and may be filled for

the remainder of the term of the member so vacating his membership

Section 2 Section four hundred seven of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 542) is hereby repealed in so far as it is inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.
Bloom,	Greer,	Mills,	Smith, C. M.
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
B'elisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervinak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 505, as follows:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 From and after the effective date of this act the council of any city of the second class shall have the authority by ordinance for general revenue purposes to levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such city of the second class as it shall determine except that such council shall not have authority to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject person or occupation or on personal property which is now or may hereafter become subject to a State tax or license fee if subsequent to the passage of any ordinance under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject person or occupation or on personal property taxed by the city hereunder the act of assembly imposing the state tax or license fee thereon shall automatically vacate the city ordinance passed under the authority of this act as of the end of the city's fiscal year current on the effective date of the act imposing the state tax or license fee

Section 2 The council of cities of the second class shall have power to prescribe and enforce penalties for the nonpayment within the time fixed for their payment of taxes imposed under authority of this act and for the violation of the provisions of ordinances passed under authority of this act

Section 3 This act shall become effective immediately upon its passage and approved by the Governor

Section 4 All acts or parts of acts inconsistent with this act to the extent of such inconsistency be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Scanlon,
Andrews,	Getchey,	McDonald,	Schuster,
Bane,	Gibson,	McKinney,	Scott,
Barrett,	Goff,	McMillen,	Serrill,
Baumunk,	Goodling,	Mihm,	Shoemaker,
Beech,	Gorman,	Mikula,	Simons,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Mills,	Smith, C. M.,
Bloom,	Greer,	Mintess,	Snider,
Boles,	Griffiths,	Mohr,	Sollenberger,
Bonawitz,	Guthrie,	Mooney,	Sorg,
Boorse,	Gyger,	Moore, C. E.,	Sproul,
Bower,	Hall,	More, H. A.,	Stank,
Breisch,	Haller,	Morrison,	Stimrael,
Brice,	Haudensfield,	Murray,	Stockham,
Brown,	Helm,	Myers,	Stonier,
Brunner,	Henry,	Najaka,	Stuart,
Buchlin,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hooker,	Needham,	Tahl,
Capano,	Hoffman,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,

Cook,	Jones,	Patten,	Vaughan,
Cooper,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Proper,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Effenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Floor,	McCormack,	Sarra,	Speaker,
Frost,	McCosker,	Sax,	

NAYS—2

Cordier,

Lovett.

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 556, as follows:

An Act to further amend the second paragraph of section one thousand four hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 409) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" empowering the State Council of Education to prescribe and adopt rules regulations standards and qualifications governing the transportation of pupils

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The second paragraph of section one thousand four hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) is hereby further amended to read as follows

Section 1404

* * * * *

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools The State Council of Education shall prescribe and adopt standards and regulations including qualifications of school bus drivers to govern

the transportation of school pupils All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired by the school district shall conform to standards prescribed by the State Council of Education Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Spoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordler,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Wells,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 693, as follows:

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and Power Resources Board to sell waters from canals and to lease sell and convey real personal or mixed property acquired by it

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" is hereby amended to read as follows

Section 7 Acquisition of Properties and Rights (a) The Water and Power Resources Board is hereby authorized subject to the approval of the Attorney General to acquire by donation agreement lease purchase or condemnation and to own or hold in the name of Commonwealth real and personal property rights lands easements and right-of-ways necessary for the execution of the above stated project

(b) The Water and Power Resources Board may sell for domestic industrial or municipal purposes the waters of any and all of the canals acquired under the provisions of this act

(c) The board may with the approval of the Governor sell or lease any property real personal or mixed acquired in the name of the Commonwealth under the provisions of this act not needed by the Commonwealth for the purposes of the act to which this is an amendment The moneys received through such sale or lease shall be paid into the Schuylkill River Desilting Fund for the use of the Water and Power Resources Board for the purpose of carrying into effect the provisions of the act to which this is an amendment

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Spoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,

Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Caasidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Costa,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dairymple,	Kirley,	Price,	Wallin,
Davison,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weldner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Layer,	Reilly, J. M.,	Wescott,
Efenberg,	Lee,	Reilly, W. J.,	West,
Elder,	Lelsey,	Richter,	Wheeler,
Erb,	Livingston,	Riley,	Wolf,
Evans,	Livingstone,	Robbins,	Wood,
Ewing,	Loftus,	Robertson,	Worley,
Feola,	Lovett,	Root,	Yeakel,
Fish,	Lyons,	Rose,	Yester,
Fiss,	Madden,	Rowen,	Yetzer,
Flack,	Madigan,	Royer,	Young,
Fleming,	Mazza,	Sarra,	Lichtenwaller,
Foor,	McCormack,		Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1023, Printer's No. 820 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1047, as follows:

An Act to amend section two of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" to place the expenses for the enforcement and administration of this act upon insurance carriers writing policies of automobile bodily injury insurance covering local risks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's license and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the secretary of revenue the state treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 2 Secretary to administer act appeal to court

(a) The secretary shall administer and enforce the provisions of the act and may make rules and regulations necessary for its administration

(b) The cost of enforcing and the expenses of administering this act shall be met in the following manner the secretary annually as soon as possible after the first day of June in each year shall ascertain the total amount of costs and expenses incurred by the department of revenue in enforcing and administering this act during the preceding fiscal year such costs and expenses in addition to the direct costs of personal service shall include the cost of maintenance and operation the cost of retirement contributions made and workmen's compensation premiums paid by the state for or on account of personal rentals for space occupied in state owned or state leased buildings and all other direct and indirect costs expenses and charges there shall be deducted from such total expenses the amount by which the premium taxes paid by all insurance carriers on automobile bodily injury and property damage liability insurance for the calendar year ending December thirty-first immediately preceding the end of the fiscal year for which the Assessment is made exceed such premium taxes for the calendar year 1946 an itemized statement of the costs and expenses so ascertained shall be open to public inspection in the office of the directors of the bureau of highway safety for thirty days after notice to those liable to be assessed for such costs and expenses after which time the secretary shall make assessment upon them as herein provided the secretary shall thereupon assess the total amount of such costs and expenses as so ascertained after making the deduction herein provided pro rata upon all insurance carriers in proportion to the gross direct premiums less return premiums thereon written by them during the calendar year ending the thirty-first day of December immediately preceding the fiscal year for which the assessment is made for policies or contracts of automobile bodily insurance covering risks resident or located in this state the secretary shall levy and collect such assessments in the same manner as provided for the collection of taxes and pay the same into the state treasury to be credited to the fund from which monies have been advanced for the enforcement and administration of this act

(c) Any person aggrieved by an order or act of the secretary under the provisions of sections four to eleven of this act may within ten days after notice thereof file a petition in the court of common pleas of Dauphin County for a trial de novo to determine whether such order or act is lawful and reasonable the filing of such petition shall not suspend the order or act of the secretary unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter the court shall summarily hear the petition and may make any appropriate order or decree

Section 2 This act shall become effective on the date upon which the act to which this is an amendment becomes effective either under its present terms or by subsequent amendment thereto

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

Mr. WAGNER. Mr. Speaker, in the present moment in which we find ourselves, we are voting very hurriedly on bills. On this bill now before the House I feel that it is my duty to call the attention of the Members of the House to the fact that while this bill says it is placing the expense for the enforcement and administration of this act upon insurance carriers writing policies of automobile insurance in this Commonwealth, that is not so, and that actually when the Members of the House vote for this bill, they are voting for the placing of an increased tax upon the persons of Pennsylvania who have in the past and are at present protecting their property by carrying policies of insurance on their automobile. This bill that we now have before us says that the Commonwealth of Pennsylvania can levy assessments upon insurance carriers. We know, of course, that the insurance carriers are to pay for the cost of the enforcement of the responsibility act, and necessarily increased charges will naturally result to the people of Pennsylvania who are carrying automobile insurance, and that therefore, inasmuch as the financial responsibility act was placed in effect two years ago by this Legislature for the benefit of all the people of Pennsylvania, it is in my humble opinion a matter of cost that should be borne by all the people of Pennsylvania instead of those people who do now carry insurance or who will have to buy insurance on their automobiles. I desire to call this matter to the attention of the House. I realize, or have been informed, that the financial responsibility law was to go into effect July 1, 1947 by a Senate bill now on our calendar. The effective date, however, has been postponed until 1948, February 1st, and in that case the necessary funds for the enforcement of this act must be found somewhere in the Commonwealth of Pennsylvania. But I say to you, that I believe the cost of this enforcement should be placed elsewhere than on the people of Pennsylvania who are now carrying automobile insurance or who will carry automobile insurance, because that is where the cost of enforcement will ultimately fall.

Mr. KURTZ. Mr. Speaker, may I request that only those answering to their names be recorded by the Clerk?

Mr. ANDREWS. Mr. Speaker, I just want to be sure that I understood the issue in this bill. As I understand from the gentleman from Somerset, the question at issue is whether the cost of the enforcement should be paid out of general taxation or whether the cost of enforcement should rest upon those who carry the insurance. That is the issue involved in this bill, is it not?

Mr. WAGNER. Yes, Mr. Speaker.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the ayes and nays were taken and were as follows:

YEAS—77

Aaronson,	Elder,	Kemp,	Royer,
Andrews,	Erb,	Kohl,	Sax,
Bane,	Ewing,	Layer,	Serrill,
Bender,	Feola,	Livingston,	Shoemaker,
Bonawitz,	Fish,	Livingstone,	Smith, C. C.,
Boorse,	Fiss,	Loftus,	Smith, C. M.,
Brelschi,	Fleming,	McCormack,	Snider,

Brice,
Brunner,
Cadwalader,
Capano,
Cassidy,
Clevenger,
Cochran,
Costa,
Crowley,
De Long,
Dye,
Efenberg,

Getchey,
Gorman,
Griffiths,
Haller,
Haudenschild,
Henry,
Hocker,
Horan,
Jones,
Jump,
Kean,
Kelley,

McCosker,
McDonald,
Miller,
Mohr,
Naumann,
O'Dare,
O'Donnell,
Patten,
Ragot,
Reese, D. P.,
Reilly, W. J.,
Robertson,

Sorg,
Sproul,
Stimmel,
Stonier,
Thompson,
Tittle,
Upshur,
Walton,
Watkins,
Watson,
Lichtenwalter,
Speaker.

NAYS—83

Barrett,
Baumunk,
Bloom,
Bower,
Chervenak,
Cole,
Cook,
Cooper,
Cordier,
Dague,
Dalrymple,
Davison,
Demach,
Dennison,
Depuy,
Dix,
Evans,
Flack,
Foor,
Frost,
Goff,

Goodling,
Graybill,
Greer,
Gyger,
Helm,
Hewitt,
Jennings,
Johnson,
Johnston,
Kirley,
Kurtz,
Laughner,
Leisey,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCullough,
McKinney,
McMillen,

Mikula,
Mills,
Mooney,
Moore, C. E.,
Murray,
Needham,
O'Connor,
Orban,
Petrosky,
Polaski,
Powers,
Price,
Propert,
Readinger,
Reese, R. E.,
Richter,
Robbins,
Scott,
Sollenberger,
Stank,
Stockham,

Stuart,
Thomassy,
Tompkins,
Toomey,
Turner,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Waterhouse,
Weiss,
Wescott,
West,
Wolf,
Worley,
Yeakel,
Yester,
Yetzer,
Young,

NOT VOTING—45

Beech,
Bentzel,
Boles,
Brown,
Buechin,
Chudoff,
Gallagher,
Gibson,
Greenwood,
Guthrie,
Hall,
Hoffman,

Hoopes,
Imbt,
Kent,
Kline,
Kratz,
Krise,
Lee,
Mihm,
Mintess,
Moore, H. A.,
Morrison,
Myers,

Najaka,
Neff,
Nelson,
O'Neill,
Pichney,
Pickens,
Reagan,
Reilly, J. M.,
Riley,
Root,
Rose,
Rowen,

Sarraf,
Scanlon,
Schuster,
Simons,
Swope,
Tahl,
Trout,
Wallin,
Weidner,
Wheeler,
Wood,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill follows.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1347, as follows:

An Act relating to the annual salaries of certain county officers of counties of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of counties of the third class shall be as follows

The sheriff six thousand six hundred dollars (\$6000)

The coroner three thousand three hundred dollars (\$3300)

The prothonotary six thousand six hundred dollars (\$6600)

The clerk of the courts five thousand five hundred dollars (\$5500)

The register of wills and ex-officio clerk to the orphans' court four thousand four hundred dollars (\$4400)

The recorder of deeds five thousand five hundred dollars (\$5500)

The county treasurer five thousand five hundred dollars (\$5500)

The county controller five thousand five hundred dollars (\$5500)

The county surveyor where such office exists one hundred ten dollars (\$110)

The county commissioners six thousand six hundred dollars (\$6600) each

The chief county detective three thousand three hundred dollars (\$3300)

The five assistant county detectives two thousand eight hundred sixty dollars (\$2860) each

The jury commissioners nine hundred ninety dollars (\$990) each

The district attorney eight thousand two hundred fifty dollars (\$8250)

The first assistant district attorney four thousand four hundred dollars (\$4400)

The three assistant district attorneys three thousand eight hundred fifty dollars (\$3850) each

The two assistant district attorneys three thousand three hundred dollars (\$3300) each

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January 1948

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Welss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Eyans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rosen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1348, as follows:

An Act relating to the annual salaries of certain county officers of counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of counties of the fourth class shall be as follows

The district attorney six thousand six hundred dollars (\$6600)

First assistant district attorney three thousand eight hundred fifty dollars (\$3850)

Three assistant district attorneys each three thousand three hundred dollars (\$3300)

The sheriff six thousand six hundred dollars (\$6600)

The prothonotary six thousand six hundred dollars (\$6600)

The clerk of courts four thousand four hundred dollars (\$4400)

The register of wills and ex-officio clerk of the orphans' court four thousand four hundred dollars (\$4400)

The recorder of deeds four thousand four hundred dollars (\$4400)

The county treasurer five thousand five hundred dollars (\$5500)

The county commissioners five thousand five hundred dollars (\$5500) each

The county auditors where there is a controller each one hundred ten dollars (\$110)

The coroner two thousand two hundred dollars (\$2200)

The jury commissioners five hundred fifty dollars (\$550) each

The county controller where such office exists or may be created four thousand four hundred dollars (\$4400)

The chief county detective three thousand three hundred dollars (\$3300)

The assistant chief county detective two thousand seven hundred fifty dollars (\$2750)

The two special county detectives each two thousand two hundred dollars (\$2200)

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January 1948

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	Mazza,	Sarra,
Andrews,	Gallagher,	McCormack,	Sax,
Bane,	Getchey,	McCosker,	Scanlon,
Barrett,	Gibson,	McCullough,	Schuster,
Baumunk,	Goff,	McDonald,	Scott,
Beech,	Goodling,	McKinney,	Serrill,
Bender,	Gorman,	McMillen,	Shoemaker,
Bentzel,	Graybill,	Mihm,	Simons,
Bloom,	Greenwood,	Mikula,	Smith, C. C.,
Boles,	Greer,	Miller,	Smith, C. M.,
Bonawitz,	Griffiths,	Mills,	Snider,
Boorse,	Guthrie,	Mintess,	Sollenberger,

Bower,	Gyger,	Mohr,	Sorg,
Brelsch,	Hall,	Mooney,	Sproul,
Brice,	Haller,	Moore, C. E.,	Stank,
Brown,	Haudensfield,	Moore, H. A.,	Stimmel,
Brunner,	Helm,	Morrison,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,			Speaker.

NAYS—3

Murray, Royer, Wood,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1349, as follows:

An Act relating to the annual salaries of certain county officers of counties of the fifth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of the fifth class shall be as follows

The sheriff four thousand four hundred dollars (\$4400)

The county comptroller where such office exists three thousand eight hundred fifty dollars (\$3850.00)

The coroner one thousand six hundred fifty dollars (\$1650.00)

The prothonotary four thousand four hundred dollars (\$4400.00)

The clerk of quarter sessions and oyer and terminer three thousand three hundred dollars (\$3300.00)

The clerk of the orphans court three thousand three hundred dollars (\$3300.00)

The register of wills five thousand five hundred dollars (\$5500.00)

The recorder of deeds four thousand four hundred dollars (\$4400.00)

The county treasurer five thousand five hundred dollars (\$5500)

The county auditors where such office exists two hundred seventy-five dollars (\$275.00) each

The jury commissioners two hundred seventy-five dollars (\$275.00) each

Where the office of the prothonotary clerk of the court of general quarter sessions clerk of the court of oyer and terminer are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only

Where the office of prothonotary clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only

Where the office of the clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only

Where the office of the register of wills and the recorder of deeds are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only

Where the office of the register of wills recorder of deeds and clerk of the orphans' court are held by the same person such officer shall receive a salary of five thousand five hundred dollars (\$5500.00) only

Where the office of prothonotary and recorder of deeds are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only

Where the office of register of wills clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4400.00) only provided that the salaries provided by this section shall in no case exceed the fees collected during the term for which any such officer shall serve

District attorney five thousand five hundred dollars (\$5500.00)

First assistant district attorney two thousand seven hundred fifty dollars (\$2750.00)

Second assistant district attorney two thousand two hundred dollars (\$2200.00)

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January 1948

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Sevill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle.

Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarrafi,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trent.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1350, as follows:

An Act relating to the annual salaries of certain officers of counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of the sixth class shall be as follows

The clerk of the court of quarter sessions two thousand seven hundred fifty dollars (\$2750.00)

The treasurer four thousand four hundred dollars (\$4400.00)

The controller two thousand seven hundred fifty dollars (\$2750.00)

The clerk of oyer and terminer one thousand one hundred dollars (\$1100.00)

The clerks of the orphans' court two thousand seven hundred fifty dollars (\$2750.00) each

The prothonotary three thousand three hundred dollars (\$3300.00)

The recorder of deeds three thousand three hundred dollars (\$3300.00)

The register of wills three thousand three hundred dollars (\$3300.00)

The sheriff four thousand four hundred dollars (\$4400.00)

The county commissioners three thousand three hundred dollars (\$3300.00) each

The district attorney shall receive annual salaries depending upon the population of the county as follows

(a) Fifty thousand and more but less than sixty thousand and twenty-six hundred forty dollars (\$2640.00)

(b) Sixty thousand and more but less than seventy thousand and twenty-nine hundred seventy dollars (\$2970.00)

(c) Seventy thousand and more but less than eighty thousand and three thousand three hundred dollars (\$3300.00)

(d) Eighty thousand and more but less than ninety

thousand three thousand six hundred thirty dollars (\$3630.00)

(e) Ninety thousand and more but less than one hundred thousand four thousand one hundred eighty dollars (\$4180.00)

In counties having a population of eighty thousand or more the assistant district attorney shall receive a salary of twenty-two hundred dollars (\$2200.00) and in counties having a population of less than eighty thousand the assistant district attorney shall receive a salary of one thousand three hundred seventy-five dollars (\$1375.00) except in counties having two or more judges of the court of common pleas where the assistants have been appointed with the approval of the court the first assistant district attorney shall receive a salary of two thousand seven hundred fifty dollars (\$2750.00) and the second assistant district attorney shall receive a salary of two thousand two hundred dollars (\$2200.00)

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,

Fleming,
Foor,
Frost,

Mazza,
McCormack,

Royer,
Sarraf,

Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1351, as follows:

An Act relating to the annual salaries of certain county officers of counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of counties of the eighth class shall be as follows

(a) The sheriff one thousand seven hundred sixty dollars (\$1760)

(b) The county commissioners one thousand one hundred dollars (\$1100) each

(c) The district attorney in counties having a population of less than ten thousand (10,000) eight hundred twenty-five dollars (\$825) and in counties having a population of ten thousand (10,000) and more but less than twenty thousand (20,000) nine hundred ninety dollars (\$990)

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,
Boies,
Bonawitz,
Boorse,
Bower,
Breisch,
Brice,
Brown,
Brunner,
Buechlin,
Cadwalader,
Capano,
Cassidy,
Chervenak,
Chudoff,
Clevenger,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Costa,

Gallagher,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hewitt,
Hocker,
Hoffman,
Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Johnston,
Jones,
Jump,
Kean,
Kelley,

McCosker,
McCullough,
McDonald,
McKinney,
McMillen,
Mihm,
Mikula,
Miller,
Mills,
Mintess,
Mohr,
Mooney,
Moore, C. E.,
Moore, H. A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Neff,
Nelson,
O'Connor,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pichney,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, C. C.,
Smith, C. M.,
Snider,
Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahl,
Thomassy,
Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,

Crowley,
Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Frost,

Kemp,
Kent,
Kirley,
Kline,
Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Pickens,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Relly, J. M.,
Relly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Wagner,
Waldron,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Weidner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1352, as follows:

An Act relating to annual salaries of certain county officers of counties of the seventh class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That in counties of the seventh class the annual salary of the sheriff shall be three thousand three hundred dollars (\$3300)

The district attorney shall receive an annual salary depending upon the population of the county as follows

(a) twenty thousand (20,000) and more but less than thirty thousand (30,000) one thousand six hundred fifty dollars (\$1650) (b) thirty thousand (30,000) and more but less than forty thousand (40,000) one thousand nine hundred eighty dollars (\$1980) (c) forty thousand (40,000) and more but less than fifty thousand (50,000) two thousand three hundred ten dollars (\$2310)

The annual salary of each county commissioner shall be one thousand one hundred dollars (\$1100)

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective the first Monday in January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,
Boies,

Gallagher,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,

McCosker,
McCullough,
McDonald,
McKinney,
McMillen,
Mihm,
Mikula,
Miller,
Mills,
Mintess,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, C. C.,
Smith, C. M.,
Snider,

Bonawitz,
Boorse,
Bower,
Breisch,
Brice,
Brown,
Brunner,
Buechin,
Cadwalader,
Capano,
Cassidy,
Chervenak,
Chudoff,
Clevenger,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Costa,
Crowley,
Dague,
Dairymple,
Davison,
De Long,
Deméché,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Frost,

Guthrie,
Gyger,
Hall,
Haller,
Haudenshield,
Helm,
Henry,
Hewitt,
Hocke,
Hoffman,
Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Johnston,
Jones,
Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kline,
Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Lay,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Mohr,
Mooney,
Moore, C. E.,
Moore, H. A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Neff,
Nelson,
O'Connor,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pichney,
Pickens,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. S.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahl,
Thomassy,
Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Weidner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows havng been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 7.

An Act making an appropriation to the Federal Farm School at Doylestown Pennsylvania.

SENATE BILL No. 102.

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

SENATE BILL No. 136.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

SENATE BILL No. 234.

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commission as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

SENATE BILL No. 235.

An Act to establish The Brandywine Battlefield Park Commission and to authorize the acquisition by purchase condemnation or gift of lands for the establishment of the Brandywine Battlefield Park providing for the control management and supervision of the property to be acquired for such park by such commission authorizing the commission to make and to enforce rules and regulations for its preservation development and visitation and making appropriations.

SENATE BILL No. 241.

An Act to amend section 3 of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by making provision concerning the registration or transfer of securities to or by nominees of fiduciaries.

SENATE BILL No. 315.

An Act making an appropriation to the Department of Forests and Waters for the acquisition by purchase or condemnation of forest land and the development and use thereof for reforestation for the work of the department with respect to forest and forest land and for the acquisition by purchase condemnation or gift of lands buildings or other properties for State parks and for the development thereof for the operation maintenance development and improvement of existing parks for recreation facilities for any flood control purposes including purchase and maintenance of flood forecasting equipment and services and the payment of the employes and expenses of the flood control commission and for stream channel improvement for construction of dams to create lakes and other stream clearance of any type for flood control and for encouragement of proper forest practices by private land owners.

SENATE BILL No. 387.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts"

SENATE BILL No. 393.

An Act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate or to merge and reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and agent personal injury and disablement and death including endowment insurance regulating such corporations and limiting the amounts for which such corporations may issue policies.

SENATE BILL No. 394.

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof and changing certain capital and surplus requirements

SENATE BILL No. 413.

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing

SENATE BILL No. 437.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

SENATE BILL No. 455.

An Act making an appropriation from the General Fund of the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

SENATE BILL No. 472.

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act making an appropriation to the Department of Health for the acquisition of land by purchase or condemnation the construction and equipment of a State Health Laboratory the construction of buildings the improvement furnishing and repairs of the State Sanatoria and the Crippled Children's Hospital for the payment by the Commonwealth of a share of the cost of preparing plans and surveys for sewage or industrial waste treatment plants and for the payment by the Commonwealth of a share of the cost of constructing such industrial waste plants for sealing abandoned coal mines for stream clearance including the purchase or condemnation of lands easements or rights of ways and acquisition or construction of pipes conduits or tunnels and pumps and pumping equipment and for experimental and research work relating to the pollution of streams and the prevention thereof" by reducing the amount appropriated by said act

SENATE BILL No. 496.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia for the support of research and investigation of basic problems affecting the textile industry and providing for the making of a report thereon to the Department of Commerce

SENATE BILL No. 558.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act

SENATE BILL No. 596.

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanitaria

SENATE BILL No. 597.

An Act to amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanitaria

SENATE BILL No. 603.

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

SENATE BILL No. 644.

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

SENATE BILL No. 680.

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hun-

dred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

SENATE BILL No. 684.

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provisions for the employment of supervising principals

SENATE BILL No. 685.

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

SENATE BILL No. 784.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

SENATE BILL No. 786.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 864.

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 364) entitled "An act relative to the election of commissioner's clerk in the County of Northampton."

Referred to the Committee on Counties.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 41, as follows:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined provid-

ing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) is hereby further amended to read as follows

Section 8 Any person violating any of the provisions of this act shall upon summary conviction before a magistrate be sentenced for the first offense to pay a fine of not less than [twenty-five dollars (\$25.00)] one hundred dollars (\$100) or more than [fifty dollars (\$50.00)] two hundred dollars (\$200) and costs of prosecution and in default of payment thereof shall undergo imprisonment for [ten] twenty days and for the second offense be sentenced to pay a fine of not less than [fifty dollars (\$50.00)] two hundred dollars (\$200) or more than [one hundred dollars (\$100.00)] three hundred dollars (\$300) and costs of prosecution and in default of payment thereof shall undergo imprisonment for [twenty] sixty days and for the third offense shall be sentenced to pay a fine of not less than [one hundred dollars (\$100.00)] three hundred dollars (\$300.00) or more than [two hundred dollars (\$200.00)] five hundred dollars (\$500.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for [thirty] ninety days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than [one hundred dollars (\$100.00)] three hundred dollars (\$300) or more than [three hundred dollars (\$300.00)] five hundred dollars (\$500) [or] and suffer imprisonment for not [more than sixty days or both] less than six months or more than one year

In cities of the first class all hearings shall be held before a magistrate who shall hear such purported violations for one month only and thereafter another magistrate shall be assigned to hear such cases until all magistrates of such city have been assigned to such hearings It is hereby declared to be the legislative intent that there be a rotation of magistrates assigned to such hearings in the same manner as that provided by section eleven of the "Magistrates' Court Act of 1937" approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L.) one thousand seven hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Grimths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,

Bower.	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope.
Capano,	Hoffman,	Needham,	Tahl.
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona.
Costa,	Kelley,	Pichney,	Wachhaus.
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse.
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel.
Fish,	Lyons,	Root,	Yester.
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwaller.
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 169. Printer's No. 453

Senate Bill No. 170. Printer's No. 454 and

Senate Bill No. 372. Printer's No. 230

were passed over at the request of the SPEAKER.

Agreeably to order,

The ouse proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section one of the act approved the first

day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" be hereby amended to read as follows

Section 1 The sum of [two million seven hundred fifty thousand dollars (\$2,750,000)] four hundred fifty thousand dollars (\$450,000) or so much thereof as may be necessary is hereby appropriated to the Department of Military Affairs for the following purposes (1) for construction of armories and the repair and improvement of present armory buildings (2) for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap (3) for postwar repairs to monuments in France and Belgium and (4) for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope.
Capano,	Hoffman,	Needham,	Tahl.
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona.
Costa,	Kelley,	Pichney,	Wachhaus.
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,

Fish,	Lyons,	Root,	Yester,
Fliss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,
Senate Bill No. 493, Printer's No. 375 and
Senate Bill No. 556, Printer's No. 234
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 580, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business and the laundering and/or supplying of laundered articles and meat processing and/or curing businesses with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies and postponing the effective date of said exemption

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as last amended by the act approved the fourteenth day of May one thousand nine hundred forty-seven act number 97) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit corporation and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That the tax of five mills imposed by this subsection on reports filed for the calendar year one thousand nine hundred forty-seven and one thousand nine hundred forty-eight or for the fiscal years beginning in the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations (a) Organized for manufacturing purposes excepting companies engaged in the distilling of liquors (b) Organized

for coal mining purposes (c) Organized for laundering and/or supplying of laundered articles and (d) organized for the processing and/or curing of meats their products and by-products Provided further that after said two year period the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations (a) organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain (b) organized for coal mining purposes and which is invested in and actually and exclusively employed in carrying on coal mining or coal mining and the preparation of coal for market (c) Organized for laundering and/or supplyi of laundered articles and which is invested in and actually and exclusively employed in carrying on laundering and/or supplying laundered articles and (d) Oranized for the purpose of the processing and/or curing of meats their products and by-products which is invested in and actually and exclusively employed in th eprocessing and/or curing of meats their products and by-products but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing coal mining or coal mining and the preparation of coal laundering and/or supplying of laundered articles or the processing and/or curing of meats their products and by-products shall pay the State tax of five mills herein provided up such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing coal mining or coal mining and coal preparation laundering and/or supplying of laundered articles or the processing and/or curing of meats their products and by-products business in addition to the local taxes assessed upon its property in the district where located in being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business in the coal mining or in the coal mining and preparation plant and business in the plant and business used in laundering and/or supplying of laundered articles or in the plant and busines used in the processing and/or curing of meats their products and by-products

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing or in coal mining or coal mining and preparation in laundering and/or supplying of laundered articles or in the processing and/or curing of meats their products and by-products situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be fonud by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employees not exclusively engaged in manufacturing in coal mining or coal mining and preparation in laundering and/or supplying of laundered articles or in the processing and/or curing of meats their products and by-products in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing to coal mining or coal mining or preparation to laundering and/or supplying of laundered articles or to the processing and/or curing of meats their products and by-products in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value. In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules. If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule.

The amount assignable to this Commonwealth of expenditures of the taxpayer for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth.

The amount of the taxpayers gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state.

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are

found to be situated incurred or received without the Commonwealth.

Notwithstanding the foregoing provisions of this subsection (b) the franchise tax of five mills imposed by subsection (b) on reports filed for the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight and for fiscal years beginning in the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight shall apply to the taxation of corporations limited partnerships and joint-stock associations (a) organized for manufacturing purposes excepting companies engaged in the distilling of liquors (b) organized for coal mining or coal mining and preparation (c) organized for laundering and/or supplying or laundered articles and (d) organized for the purpose of processing and/or curing of meats their products and by-products without excluding from the numerators of the applicable fractions tangible property actually and exclusively used in manufacturing coal mining and preparation laundering and/or supplying of laundered articles or in the processing and/or curing of meats their products and by-products compensation of employees exclusively engaged in manufacturing coal mining and preparation laundering and/or supplying of laundered articles or in the processing and/or curing of meats their products and by-products and gross receipts from business strictly incident or appurtenant to manufacturing coal mining and preparation laundering and/or supplying of laundered articles or to the processing and/or curing of meats their products and by-products.

After said two year period the provisions of this subsection shall apply to the taxation of corporations limited partnerships and joint-stock associations organized for manufacturing purposes coal mining and preparation laundering and/or supplying of laundered articles and for the processing and/or curing of meats their products or by-products.

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law. Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly. Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals. Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by-products excepting companies engaged in the distilling of liquors. Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock. Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania.

Section 2 The provisions of this act shall be retroactive to the first day of January one thousand nine hundred

forty-seven so that domestic and foreign corporations limited partnerships and joint-stock associations organized ing and/or supplying of laundered articles or for the pro- for manufacturing coal mining and preparation launders- cessing and/or curing of meats their products and by- products purposes shall pay the tax imposed for the calendar years one thousand nine hundred forty-seven and one thousand nine hundred forty-eight or for the fiscal hudred forty-seve and one thousand nine hundred forty- years beginning in the calendar years one thousand nine eight as other domestic and foreign corporations limited partnerships and joint-stock associations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, E. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Laughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Proper,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the third reading and consideration of Senate Bill No. 593 as follows:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" are hereby amended to read as follows

Section 302 Powers and Duties of the Board The board shall have the power and it shall be its duty to

(1) Appoint as hereinafter provided a chief county assessor and such assistant assessors clerks and other employes as may be deemed necessary

(2) Adopt rules and regulations not inconsistent with this act which shall govern the chief assessor his assistants and local elected assessors in the making of the assessment

Such rules may include but not by way of limitations the use of tax maps land value maps other maps and material assessors' manuals property record cards indicating the nature of improvements and the application of unit values to the information shown in such maps and records

(3) Hear and determine appeals as hereinafter provided from the valuations fixed by the assessor or revised by the board as the case may be

(4) Establish within the limits of this act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll

(5) Prepare annually and submit to the county commissioners an estimate of the expense to be incurred incidental to the carrying out of the provisions of this act

(6) Examine and revise the assessments and valuations as hereinafter provided

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the first day of September the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall thereupon cause to be mailed or delivered to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after [appeal] revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of October a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of October file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,

Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rosen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 676 as follows:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for qualifications and licensing of excess insurance brokers in all kinds of insurance other than life

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1186) is hereby further amended to read as follows

Section 624 Excess Insurance Brokers The Insurance Commissioner may issue a license revocable at any time permitting the person copartnership or corporation named therein who meets the qualifications imposed under section six hundred twenty-two of this act to act as a broker to procure for his clients policies of [fire or marine] insurance other than life insurance from companies associations or exchanges not authorized to do business in this Commonwealth Before any [fire or marine] insurance excepting however marine insurance on vessels and vessel property engaged in interstate or foreign commerce shall be procured under or by virtue of said license there shall be executed and filed with the Insurance Commissioner by [thel] such licensed broker [and also by the party desiring the insurance] [and] an affidavit which shall have force and effect for one year only from the date thereof setting forth that [the party desiring insurance] is after diligent effort unable to procure the [amount] required [to protect the property owned or controlled or entrusted to him] insurance from [fire or marine] insurance companies mutual insurance companies associations or exchange excepted duly authorized to transact business in this Commonwealth [The] such licensed broker procuring or delivering policies in such unauthorized companies associations or exchanges shall keep a separate account thereof open at all times without notice to the inspector of the Insurance Commissioner showing the exact amount of insurance placed giving the name of the insured the [location of the insured property] subject of the insurance the gross premium mentioned in the policy the name of the company association or exchange issuing the contract and the number date and term of the policy Each policy shall have written or printed on the outside of it the name of the licensed broker who obtained [thel] same and introduced it into the Commonwealth and after his name shall appear the words "licensed excess insurance broker" Nothing in this section shall be so construed as giving any such licensed broker authority to act as agent for or to in any way represent any such unlicensed company association or exchange in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmgel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonler,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,

Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection,

Senate Bill No. 696, Printer's No. 332 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 714 as follows:

An Act to further amend section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" as last amended by the act approved the fifteenth day of April one thousand nine hundred seven (P. L. 91) is hereby further amended to read as follows

Section 7 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name of the Thaddeus Stevens [Industrial School of Pennsylvania] Trade School They shall manage and direct the

affairs of the institution and make all necessary by-laws and regulations not inconsistent with either the provisions of the Constitution or laws of the Commonwealth. Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee. The Superintendent of Public Instruction shall be ex-officio member of the board of trustees.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Smith, C. M.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Kruse,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 762, Printer's No. 403 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 807 as follows:

An Act to amend Section 7 of the act approved the 16th day of May A. D. 1940 (P. L. 949) entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any powers granted by this act providing for the collection of tolls for the payment of bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by adding sub-section (d) thereto providing for salaries for appointed members of the Commission.

Section 1 Section 7 of the Act approved the 16th day of May A. D. 1940 (P. L. 949) entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions upon which such turnpike shall become free providing for grade separations grade changes and relocation and restoration of public roads and State Highways affected by the turnpike providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" is hereby amended by adding after subsection (c) a new section to read as follows

(d) The Chairman of the Commission shall receive an annual salary of One Thousand Five Hundred Dollars (\$1500) and the other appointed members of the Commis-

sion shall each receive an annual salary of One Thousand Dollars (\$1000) payable in monthly installments solely from funds provided under the authority of this act to to begin when such funds shall have been provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Smith, C. M.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,
De Long,	Kohl,	Probert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Kruse,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker.

NAYS—1

Getchey,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 812, Printer's No. 425 and House Bill No. 1114, Printer's No. 846 were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1120, as follows:

An Act to amend section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" making special provisions for manner of registration in boroughs towns and townships of less than a certain population in certain counties and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 18 Manner of Registration

(h) In boroughs towns and townships with a population of less than two thousand five hundred (2500) in counties of the sixth seventh and eighth class residents who are otherwise entitled to register and who can read and write may make the registration and other affidavits required by this act before any justice of the peace which when filed in the office of the registration commission shall have the same effect as though the applicant had appeared and taken the required oaths before the commission or a registrar The registration card properly filled out shall be filed by such justices of the peace with the registration commission not later than fifty (50) days prior to any general election held in even-numbered years or thirty-five (35) days prior to any municipal election held in odd-numbered years

The registration commission in counties of the said classes shall prepare necessary blanks and affidavit forms

to carry into effect this provision and on the receipt of such affidavits properly filled out containing the necessary information shall issue registration cards and mail them to the address of the applicant and at the close of each registration period shall include in the street lists the names election district post-office address and party affiliation of all persons registering by this method within said period it shall be unlawful for any justice of the peace to take any registration or other affidavits required by this act in any place other than his office or place of business the powers herein conferred upon justices of the peace shall not be delegable Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding fifty dollars (\$50) or undergo imprisonment not exceeding thirty (30) days or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelsch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenshield,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Najaka,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Needham,	Thomassy,
Chervenak,	Hoopes,	Neff,	Thompson,
Chudoff,	Horan,	Nelson,	Tittle,
Clevenger,	Imbt,	O'Connor,	Tompkins,
Cochran,	Jennings,	O'Dare,	Toomey,
Cole,	Johnson,	O'Donnell,	Turner,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwaller,
Foor,	Mazza,	Sarra,	Speake.

NAYS—0

NOT VOTING—2

Ragot,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1200, as follows:

An Act to provide for the establishment of a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively authorizing the survey of broadcasting sites and the purchase of necessary sites and equipment providing for the construction of a master station and subsidiary stations as needed for state-wide coverage creating within the Department of Public Instruction a Division of Radio and Audio-Visual Education establishing within such division a lending library of recordings scripts films and slides conferring powers and imposing duties upon the Superintendent and Department of Public Instruction and appropriating funds for such developments

Whereas Education by radio has been successfully carried on through AM channels by thirty colleges universities and other institutions for many years but has been retarded in development because of the lack of an adequate number of channels and

Whereas Recent development of frequency modulation (FM) broadcasting has eliminated all static interference of reception in the higher frequency brackets and

Whereas The Federal Communications Commissions has set aside twenty FM channels for the exclusive use of educational institutions from which commercial advertising is barred and

Whereas The Federal Communications Commission now requires in the interest of a proper coordination of FM educational broadcasting that the issuance of such licenses in each state shall be subject to the approval of its State Education Department and

Whereas Twenty-one states are now definitely setting up such state-wide educational networks and

Whereas Six great educational centers Chicago Cleveland Lexington (Ky) New York San Francisco and Urbana (Ill) are already making extensive use of FM broadcasting in their local school systems and

Whereas The educational experience of the Armed Forces has shown conclusively the inestimable instructional value of both auditory and visual aids in teaching and

Whereas A proper coordination of the development of FM educational broadcasting within this Commonwealth requires that as a first step licenses be secured by the Superintendent of Public Instruction pre-empting the wave-lengths necessary for a State FM educational network planned for state-wide coverage of all urban and rural public schools and

Whereas By federal regulation FM educational broadcasting licenses allocating definite wave lengths cannot be secured until proper evidence has been submitted showing the actual appropriation of funds necessary to construct the FM educational broadcasting station or network contemplated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of establishing a coordinated state-wide system of radio education broadcasting by the Commonwealth the Superintendent of Public Instruction is hereby authorized and directed to make application to the Federal Communications Commission for a "New Non-Commercial Construction Permit" authorizing the Commonwealth to establish such an educational broadcasting system The Superintendent is further authorized and directed to retain or employ a radio engineer consulting firm for the purpose of making a survey of the technical requirements necessary to the

establishment of such a state-wide coordinated system including the determination of the technical requirements for a state master station the number of booster or subsidiary stations necessary to achieve state-wide coverage and the requirements necessary to the establishment of other educational broadcasting stations that will not interfere with one another or the proposed state network

Section 2 For the purpose of directing and coordinating the development the state-wide educational radio system herein authorized and for the purpose of operating the same when so established there is hereby established within the Department of Public Instruction a Division of Radio and Audio-Visual Education Such division shall in addition to its foregoing duties

(a) Assist local school districts or county school organizations in establishing in-service training programs for principals and teachers so as to promote the most efficient system of education possible through the use of radio programs and other auditory aids to instruction of pupils

(b) Provide advisory services to local school districts for the development of educational radio programs and to organize "schools of the air" in different parts of the Commonwealth

(c) Establish and maintain for distribution and use throughout the Commonwealth a transcription and script library and exchange service

(d) Provide to the several schools districts of the Commonwealth and other educational institutions and organizations information and bulletins pertinent to the development and utilization of education by radio and audio-visual aids in the field of education

Section 3 Upon obtaining the necessary licenses and permits from the Federal Communications Commission the Superintendent of Public Instruction shall cause to be prepared and submitted to the Governor such plans estimates and other information as may be essential to the construction of the state-wide system hereby authorized to be established and upon approval by the Governor shall undertake to establish such system

Section 4 The Department of Public Instruction is hereby authorized to acquire by lease purchase or condemnation such land and buildings and to cause to be erected such buildings structures and facilities as may be necessary for the establishment of a state master station and such additional booster or subsidiary stations as may be necessary for adequate state-wide coverage

Section 5 The sum of seven hundred seventy-five thousand dollars (\$775,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction to effectuate the purposes of this act Of such sum twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary shall be used for the purpose of employing or retaining a reputable or retaining radio engineering firm to make the necessary surveys and plans necessary to establish such a statewide educational radio system and the balance of the appropriation or so much thereof as may be necessary shall be used for the construction of such system including the cost of purchasing land the construction improvement or alteration of buildings and the purchase and erection of such equipment and facilities as, may be necessary and all other expenses incidental thereto

Section 6 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the establishment and maintenance for the fiscal biennium beginning the first day of June one thousand nine hundred forty-seven of the Division of Radio and Audio-Visual Education within such department

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	Mazza,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kiline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	McCosker,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1219, as follows:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" by further defining the powers and duties of the commission
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the first day of July one thousand nine hundred thirty-seven (P.

L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" as last amended by the act approved the eighth day of March one thousand nine hundred forty-three (P. L. 13) is hereby further amended to read as follows

Section 1 Be it enacted &c That the Speaker of the House of Representatives shall appoint twelve members of the House and the President pro tempore shall appoint twelve members of the Senate who together with the President pro tempore of the Senate and the Speaker of the House of Representatives shall constitute a continuing joint legislative commission to be known as the Joint State Government Commission The members of the commission shall be appointed during each odd-numbered year and shall continue as members of the commission until the first day of February of the next odd-numbered year and until their respective successors shall be appointed Said commission shall organize by the selection of a chairman The commission shall have power to employ a director and such professional technical clerical and other assistance as may be deemed necessary [Said commission shall have power to call upon any department or agency of the State Government for such information as it deems pertinent to the studies in which it is engaged] Said commission shall also have the power to designate members of the General Assembly to such sub-committees as it shall create for the purpose of making investigations and studies and to designate persons other than members of the General Assembly to act in advisory capacities

Section 2 Section two of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1084) is hereby further amended by adding at the end thereof new clauses to read as follows

Section 2 Said commission shall have power and its duty shall be

* * * * *

(h) To call upon the officers and deputies of and to examine the books papers and public records of any department or agency of the State Government for such information statements and data as it deems pertinent to any studies or investigations in which it is engaged

(i) To obtain promptly information and data from any department or agency of the State Government for any member committee or subcommittee of the General Assembly at his or its request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoggard,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,

Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Robbins,	Wolf,
Evans,	Livingstone,	Robertson,	Wood,
Ewing,	Loftus,	Richter,	Worley,
Feola,	Lovett,	Riley,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarraf,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1308, as follows:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of promoting healthful outdoor recreation and education and for the enjoyment of the general public and for the further purpose of obtaining for the Commonwealth of Pennsylvania certain needed hatchery facilities the Department of Forests and Waters is hereby authorized to acquire in the name of the Commonwealth of Pennsylvania an area of approximately three hundred (300) acres and all improvements thereon in Franklin Township on the Pohopoco Creek located in Carbon County or any portion or portions thereof and such additional acreage as may be determined by the department to be necessary the same to be laid out preserved and maintained as a State Park and recreation area

Section 2 The sum of one hundred fifty thousand dollars (\$150,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of purchasing said property No part of said consideration shall be paid until the title to said property shall be approved by the Attorney General of the Commonwealth

Section 3 After the said property shall have passed into the possession of the Commonwealth the Department of Forests and Waters shall have full control and supervision thereof with power to adopt and carry into effect

plans for the improvement preservation and use thereof. The department may enforce rules and regulations not inconsistent with the laws of this Commonwealth as it may make for the protection of life and property the maintenance of good order and the carrying into effect the full and proper use of said property as a State Park. The department shall also have power with the approval of the Governor to make and carry out such plans for the profitable utilization of the dead and down timber and such other operations for the profitable employment of said lands as may not be inconsistent with their full use as a State Park and recreation area and which the said department deems to be to the best interests of the Commonwealth. Any moneys derived therefrom shall be paid into the State Forests and Waters Fund.

Section 4 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervanak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	La',	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Lelsey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
For,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1346, as follows:

An Act relating to the annual salaries of certain county officers of counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salaries of the following county officers of counties of the second class shall be as follows

The sheriff eleven thousand dollars (\$11,000)

The prothonotary eleven thousand dollars (\$11,000)

The recorder of deeds eleven thousand dollars (\$11,000)

The register of wills and clerk of the orphans' court five thousand five hundred dollars (\$5500)

The clerk of the court eleven thousand dollars (\$11,000)

The treasurer eleven thousand dollars (\$11,000)

The controller eleven thousand dollars (\$11,000)

The coroner eleven thousand dollars (\$11,000)

The district attorney eleven thousand dollars (\$11,000)

First assistant district attorney eight thousand two hundred fifty dollars (\$8250)

Second assistant district attorney seven thousand one hundred fifty dollars (\$7150)

Two assistant district attorneys six thousand six hundred dollars (\$6600) each

Four assistant district attorneys six thousand fifty dollars (\$6050) each

Two assistant district attorneys five thousand five hundred dollars (\$5500) each

Two assistant district attorneys four thousand nine hundred fifty dollars (\$4950) each

Four assistant district attorneys four thousand four hundred dollars (\$4400) each

The chairman of the county commissioners sixteen thousand five hundred dollars (\$16,500) the other county commissioners thirteen thousand two hundred dollars (\$13,200) each

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective on the first Monday of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,

Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwaller,
Foor,	McCormack,	Sarra,	Speaker.

NAYS—1

Laughner,

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Sorg.

The House resumed the consideration on third reading of Senate Bill No. 459, as follows:

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B, of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the

courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as added by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby amended to read as follows

Section 1001 Merger consolidation and conversion authorized

* * * * *

B One or more associations and one or more federal savings and loan associations operating under the laws of the United States may in the manner hereinafter provided in this act and pursuant to the laws of the United States be merged into an association hereinafter designated as the surviving association or into a Federal Savings and Loan Association or consolidated into a new association to be formed under this act or into a new Federal savings and loan association and an association may in the manner hereinafter provided in this act and pursuant to the laws of the United States be converted into a federal savings and loan association and any federal savings and loan association may in the manner hereinafter provided in this act and pursuant to the laws of the United States be converted into an association hereinafter designated as the converted association [no merger consolidation or conversion authorized by this subsection shall become effective until the federal home loan bank board shall have given its written approval] no conversion of an association into a federal savings and loan association or merger or consolidation of one or more associations with one or more federal savings and loan associations to form a federal savings and loan association shall be effected pursuant to this subsection unless at the time of such merger consolidation or conversion the laws of the United States shall authorize a federal savings and loan association to merge into consolidation with or convert into an association with all the property and rights of such federal savings and loan association vesting in such association in the same manner as is prescribed by this act in the merger consolidation or conversion of federal savings and loan associations into building and loan associations

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCoser,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsich,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,

Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Yester,
Crowley,	Kelley,	Pichney,	Verona,
Dague,	Kemp,	Pickens,	Wachhaus.
Dairymple	Kent,	Polaski,	Wagner,
Davison,	Kirley,	Powers,	Waldron,
De Long,	Kline,	Price,	Wallin,
Demech,	Kohl,	Propert,	Walton,
Dennison,	Kratz,	Reese, R. E.,	Waterhouse
Depuy,	Krise,	Ragot,	Watkins,
Dix,	Kurtz,	Readinger,	Watson,
Dye,	Laughner,	Reagan,	Weidner,
Efenberg,	Layer,	Reese, D. P.,	Weiss,
Elder,	Lee,	Reilly, J. M.,	Wescott,
Erb,	Lelsey,	Reilly, W. J.,	West,
Evans,	Livingston,	Richter,	Wheeler,
Ewing,	Livingstone,	Riley,	Wolf,
Feola,	Loftus,	Robbins,	Wood,
Fish,	Lovett,	Robertson,	Worley,
Fiss,	Lyons,	Root,	Yeakel,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwalter,

Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

Mr. FLEMING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

Mr. LEE asked and obtained permission for the Committee on City and County—First Class to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. CHERVENAK asked and obtained unanimous consent to address the House.

Mr. Speaker, a few days ago this House adopted a resolution congratulating Mrs. Chervenak and myself and my son, Larry. In the few remarks I made I took the liberty of saying a few words about my other children. In those remarks I mentioned my daughter, Marcella, who is now in the University of Hawaii as a research chemist. Last month my daughter Marcella attended the closing day of the session of the Legislature in Honolulu. I might say that it is evident from the information that I have received that the Legislature of Hawaii closes its session with a fan-fare on adjournment, by having hula-dances, in which some of the Legislators participate. I had written to my daughter that we were about to adjourn the Legislature and on Monday she decided she would like to favor her Daddy with some flowers. She mailed out of Honolulu a package which just arrived at the post office a few minutes ago which contains these beautiful flowers, namely **Birds of Paradise**. In this package she enclosed this note: "Dear Dad, I am hoping the

Legislature postpones adjournment until these flowers have arrived, we call them "Birds of Paradise." I know that she would be glad to be here and see her father and mother again, and I also know she would like that I would present these flowers to the Speaker, so at this time it gives me the greatest pleasure to send to the Speaker's desk these flowers sent from Honolulu and which arrived in Harrisburg a few minutes ago.

The SPEAKER. The Chair desires to thank the gentleman from Cambria, Mr. Chervenak for these beautiful flowers which have been sent by his daughter from Hawaii. The Chair is more than honored to receive these flowers from the gentleman from Cambria.

PERMISSION TO ADDRESS HOUSE

Mr. MINTESS asked and obtained unanimous consent to address the House.

Mr. Speaker, one of America's outstanding writers, Herbert Agar, said:

"If promises are broken too often, civilization dies, no matter how rich it may be or how mechanically clever. Hope and faith depend on promises; if hope and faith go, everything goes."

"Men of little minds and narrow intellect are so wrapped up by their own conceit that it is impossible for them to grasp the eternal truths wrapped up in the above quotation. They think only of today, concerned only with the present and the immediate future.

"America became the greatest country in the world because there have been men who were controlled by high principles, rather than by expediency."

Pennsylvania has the good fortune of having a man for its Governor who believes that promises made as the result of high principles, should be kept, even political promises. Governor James H. Duff realizes that "if promises are broken too often, no matter how rich it may be or how mechanically clever, civilization dies." He understands that hope and faith depend on promises; if hope and faith go, everything goes.

The Republican Party made a set of promises during the last election. The fact that the hope and faith of hundreds of thousands of our fellow citizens have been dashed to earth means absolutely nothing to these men who have obtained high political office through the power and influence of a great political party. They pay lip service to the party, but when the demands of that party require them to give up their pet prejudices, so that the party can keep its promises and maintain its self respect, they refuse to do so.

It is shown that no appeal changed the attitude of some members of the House on FEPC legislation. Perhaps the hope and faith of thousands of citizens will be destroyed because of their narrow minds.

If these things continue to exist, they will be largely responsible because they heeded the advice of stupid politicians rather than the appeal of Pennsylvania's great Governor.

PERMISSION TO ADDRESS HOUSE

Mr. UPSHUR asked and obtained unanimous consent to address the House.

Mr. Speaker, on yesterday we saw a spectacle that should make us hide our faces in shame. We saw constitu-

tional government in the hands of a few selfish people made a mockery when the Committee on Labor of this House convened at the call of its Chairman and without discussing the merits or de-merits of FEPC bills, voted against FEPC bills being reported to the floor of the House.

As a Member of the Majority Party, I tried from the very beginning of the Session to see that our party platform, the pledge we made to the people, would be enacted into law. FEPC was a part of that pledge and House Bill 1093 was introduced as a part of the program of the Majority. This legislation has the support of thousands of people in all walks of life in our Commonwealth, people representing all races and all creeds. It had the solid support of our Governor. However, the hidden powers have from the beginning worked hand in hand with the selfish, reactionary forces led by the Chairman of the Committee in order to kill this legislation. They have been successful and the report now given to the people has been recorded. My people who have served the Republican Party cannot afford to overlook this assault upon their hopes.

Mr. Speaker, I would like to take this opportunity to extend my sincere gratitude and appreciation to the Members of the Committee who voted for the bill and also to the Members and the Chairman of the Philadelphia delegation, and David W. Harris, Republican leader of the City and County of Philadelphia, and our great Governor, who so courageously used the power of his office at his command and tried to bring to the floor of this House House Bill 1093 for their approval.

I also wish to thank all the various organizations and especially the Council of Equal Job Opportunity, who have worked so diligently for the passage of this measure. I wish to thank all of the various newspapers of the State which have editorially supported the measure, and I finally wish to thank all the Members of the General Assembly who have helped in any manner in the cause of House Bill No. 1093, known as the FEPC bill.

Mr. Speaker, I would also like to speak as a leader of one of the largest wards in the city of Philadelphia, which is composed of from 28 to 30 thousand people. I also would like to say that I shall use my energies and power to work hand in hand and side by side with that great Governor of ours in order to help bring about his campaign pledges and high ideals and to carry out the platform that he submitted to the Republican party in the last election.

Mr. RAY L. RILEY IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. CLARENCE M. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, as a Minister of the Gospel—one of the functions of my office is to preside over services marking the final tribute of love and devotion to those who have passed on to their eternal reward and rest. The occasion is always sad, baby-Mother-Father-benefactor of people—none so sad as when a friend is mourned whose demise has been occasioned by the hand of false friends who gather about the funeral couch to shed crocodile tears and seek by such action to join with sincere friends and relatives in love's real expression of sorrow.

On the Penna. Legislative Directory, 1947-1948, P. 214, is a list of 30 honored gentlemen members of the Committee on Labor Relations. Eight of them shall go down in history as the unsung and unknown friends of social legislation. The protective arm of minority groups, 17 of them have yielded to the murderous powers of vested interests and have become active and honorary pallbearers at the funeral services of all FEPC legislation of which House Bill 1093 is but a lamented symbol. The obituary notice of this death appeared in yesterday's papers and today we pause to inter, for this session, this noble and ambitious legislative gesture. The five sponsors of this bill are joined by a great host of sincere sympathizers throughout the length and breadth of this great commonwealth foremost among whom are the State Committee on FEPC, the Council of Equal Job Opportunity, the NAACP, the Press and countless others. Social, fraternal, civic, political and religious groups all wear the band of mourning today as we bury FEPC, Pennsylvania's chief surgeon, the Honorable James H. Duff, Governor of the Commonwealth who has felt the pulse of our vast population and who has sensed that the eyes of the world were turned our way has stood by its death bed and battled with great skill and manly fortitude for its life—all in vain, as vested interests and secret posers that dared not to come into the open willed its sure death. We pause to pay tribute to his honesty, so seldom found among politicians; to express our thanks for his efforts; and to pledge our undying loyalty to men of his caliber, and by the same token, in the language of the Bible belt, we profess that we have been wounded in the house of our friends, seventeen of them, who even now profess their lack of understanding as to how and why FEPC died. May their deeds rise up to haunt their peaceful sleep and may their complacency send them to a similar political fate. Our post mortem reviews often reveal the cause of death hidden while life lasts; but the obvious means employed to kill FEPC,—the arbitrary action of the committee guided by the non-cooperative leadership of the chairman; the heinous powers of mercenary minded industrialists, the vitriolic services rendered by the Penna. Chamber of Commerce; the lip service rendered by demagogues of political expediency, are the chief and contributing causes of this unfortunate demise and so a post mortem is unnecessary. But Mr. Speaker and members of this House for sponsoring this legislation the five gentlemen from Phila.—Mr. Mintess, Thompson, Upshur, Henry, and Smith have been charged with seeking to effect class legislation and legislation designed to produce social equality whose most repulsive feature has been obliged to be the matter of inter-racial marriages. How this feature ever got into the argument is beyond me. The loyal Hebrew remembers his Biblical standard for marriage and the Negro has a veritable flower garden, for we are the only race possessing all colors, shades, and types, from which we may choose and if any of us wander into an inter racial marriage, it's because love is blind. Opposition to this legislation has centered about two minority groups in Pennsylvania, the Negro and the Jew. As a member of the first group mentioned I profess a pride in my membership. The product of the only race in America by invitation. Every other race came here by choice but they sent after my forebearers and brought them here where they have labored, without disloyalty to

either friends or government, and have produced a Frederick Douglas, Apostle of freedom, a Booker T. Washington, Leader in Education, a George Washington Carver, Scientist without peer, a Joe Louis, Chief of Pugilism and worthy example of clean living, a Marion Anderson, Singer of this generation, a Jesse Owens, Fleet-footer mercury of the cinder path, a Homer S. Brown, constitutional authority and character of judicial stature, a Col. Benjamin O. Davis, military strategist who taught Negroes to drive anything from a mule in Georgia to a B29 over enemy territory in an Army that knew no discrimination as to work and death. Time fails me to increase this list of benefactors to our culture who are but a symbol of the gift of minorities to our great state and nation.

Mr. Speaker, I am loathe to close this eulogy for instead of opening the door of opportunity to all, it closes, bars, and bolts the door and gives sanction to prejudice, discrimination and arbitrary action. But as a minister, I believe in the doctrine of the Resurrection and so in closing, my friends of this Assembly, I remind you that "Truth crushed to earth shall rise again—the eternal years of God are hers."

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. THOMPSON asked and obtained unanimous consent to add the names of Messrs. HENRY, MINTESS, UPSHUR and CLARENCE M. SMITH to a resolution he was about to present.

RESOLUTION

FAIR EMPLOYMENT PRACTICE COMMISSION BILL

Messrs. THOMPSON, HENRY, MINTESS, UPSHUR and CLARENCE M. SMITH offered a resolution and asked and obtained unanimous consent that it be read for the information of the House.

The resolution was read as follows:

In the House of Representatives, June 11th, 1947.

Whereas, the Fair Employment Practice Commission Bill, House P. No. 1093 is still in the Committee on Labor Relations; and

Whereas, The Governor of Pennsylvania has insisted this bill be enacted into law, in accordance with a pledge made in the Pennsylvania Republican Party Platform of 1946; and

Whereas, The Committee on Labor Relations, has refused to report this bill out of committee for the consideration of the General Assembly, notwithstanding the insistence of the Governor that the committee do so and in disregard of the pledge in the Pennsylvania Republican Party Platform; and

Whereas, The Labor Relations Committee has had this bill in its possession for consideration since March 26, 1947, the said committee has not reported said bill for the consideration of the House of Representatives; and

Whereas, The newspapers of Pennsylvania, particularly the newspapers of Philadelphia, Harrisburg and Pitts-

burgh have carried editorials supporting the measure; and

Whereas, Many leading organizations and citizens have at public hearings and meetings supported said bill; and

Whereas, The State organization for Fair Employment Practice Commission and the various county and city organizations for Fair Employment Practice Commission have done everything in their power to urge the passage of this bill, nevertheless it remains within the Labor Relations Committee; and

Whereas, The sponsors of Fair Employment Practice Commission—House Bill No. 1093, have done everything within their power to advance this bill to the floor of the House of Representatives, they have not succeeded in their purpose; therefore the sponsors of said bill, namely Representatives Mintees, Uushur, Henry Clarence H. Smith and Thompson wish to take this opportunity to thank Governor Duff for his staunch support of this measure and to thank all the Republican leaders who insisted that a Fair Employment Practice Commission bill be incorporated in their platform and to thank all the various organizations which have worked so diligently for the passage of this measure and to thank the various newspapers of the State which have editorially supported the measure and finally to thank all the members of the General Assembly who have helped in any manner the cause of Fair Employment Practice Commission.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. POWERS, from the Committee on Game and Forestry, reported as amended, House Bill No. 78, entitled:

An Act to further amend sections five hundred one and seven hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by removing all closed seasons on woodchucks;

Mr. WALDRON, from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 9, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged.

Mr. WOOD, from the Committee on State Government, reported as committed, Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing certain acts inconsistent herewith.

Mr. PETROSKY, from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 146, entitled:

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and pri-

mary elections, the nominating of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth; courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising, and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," making further provision for the compensation of judges, inspectors, clerks, and machine inspectors at primaries and elections.

Mr. O'DARE, from the Committee on City and County—First Class, reported as committed, Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692, No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary.

Mr. TURNER, from the Committee on Appropriations, reported as committed, Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover the deficiency accumulated up to May 31, 1945.

Mr. TOMPKINS, from the Committee on Game and Forestry, reported as committed, Senate Bill No. 312, entitled:

An Act to amend section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" extending period of field trials

Mr. DAVID P. REESE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 471, entitled:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

Mr. BOWER, from the Committee on State Government, reported as committed, Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission.

Mr. FISH, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by further regulating the payment in second injury cases

Mr. POWERS, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders.

Mr. GORMAN, from the Committee on State Government, reported as committed, Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors.

Mr. GORMAN, from the Committee on State Government, reported as committed, Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the ap-

approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the Board with the approval of the commission or by the commission with the approval of Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds.

Mr. O'DARE, from the Committee on Appropriations, reported as committed, Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania.

Mr. BAUMUNK, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

Mr. WEISS, from the Committee on Counties, reported as committed, Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstones at the graves of deceased service persons and prescribing penalties.

Mr. NEFF, from the Committee on Labor Relations, reported as committed, Senate Bill No. 801, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause strikes lockouts slowdowns or similar

work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employes for the enforcement of such public policy and providing penalties.

Mr. GOODLING, from the Committee on Appropriations, reported as committed, Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States.

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 833, entitled:

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks.

Mr. MILLS from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employes' Retirement System and in certain other cases into the State Employes' Retirement Fund for certain purposes" by further regulating the payment of such moneys into the State Employes' Retirement Fund.

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 841, entitled:

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its supplements as authorize aldermen justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morgantown.

Mr. UPSHUR from the Committee on City and County—First Class, reported as committed, Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

Mr. RAGOT from the Committee on Counties, reported as committed, Senate Bill No. 864, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioner's clerk in the County of Northampton".

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the upreme Court the Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing vertain acts inconsistent herewith.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 146, entitled:

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No. 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover the deficiency accumulated up to May 31, 1945.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to amend section seven hundred twenty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" extending period of field trials.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act requiring operators, political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage; conferring powers and imposing duties on the Department of Mines; prescribing penalties; and making an appropriation.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by further regulating the payment in second injury cases.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 666, entitled:

An Act to facilitate vehicular traffic between the Commonwealth of Pennsylvania and the State of New Jersey by providing for the construction operation and maintenance of a tunnel or tunnels under the Delaware River and connecting the Commonwealth of Pennsylvania at or near Philadelphia County or Delaware County or any county contiguous to these counties with the State of New Jersey providing for the creation of the Delaware Tunnel Board and conferring powers and imposing duties on said Board authorizing the Board to enter into a contract

with a duly constituted and authorized commission created by the laws of the State of New Jersey with powers similar to the powers conferred on the Board authorizing and empowering the Board to enter into a contract with any New Jersey commission which contract may provide that the Delaware River tunnel or tunnels may be constructed maintained and operated jointly by the Board and the New Jersey commission or by the Board with the approval of the commission or by the commission with the approval of the Board authorizing the issuance of tunnel revenue bonds jointly by the Board and the commission or by the Board with the approval of the commission or by the commission with the approval of the Board payable solely from tolls to pay the cost of such tunnel or tunnels providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the tunnel or tunnels making such bonds and tunnel or tunnels and property used in connection therewith exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such tunnel or tunnels shall become free providing for condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission giving the Board under certain conditions the right to act in the State of New Jersey and giving the commission under certain conditions the right to act in the State of Pennsylvania and authorizing the issuance of tunnel revenue refunding bonds.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions; selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstones at the graves of deceased service persons and prescribing penalties.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 801, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employees which cause or threaten to cause strikes lockouts slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employees for the enforcement of such public policy and providing penalties.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain appropriated by the Congress of the United States.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing

for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement fund for certain purposes" by further regulating the payment of such moneys into the State Employees' Retirement Fund.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 841, entitled:

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburg and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its supplements as authorize aldermen justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morganza.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 864, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioner's clerk in the County of Northampton".

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. FLACK asked and obtained unanimous consent to add the name of Mr. WACHHAUS as an additional sponsor to House Bill No. 1353.

BILL ON THIRD READING

The SPEAKER. If there is no objection, the Chair will return to bills on third reading, House Bill No. 1114, on page 34 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1114, as follows:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning

elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the issuance of watcher's certificates and the compensation of watchers

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I rise with reluctance to oppose this bill because it is sponsored by one of my colleagues and also because of the lateness of the hour, when we are trying to finish today's session. This bill provides that the county commissioners shall at a primary election issue to every candidate two watcher's certificates for every precinct in the county, and in the general election shall issue three watcher's certificates.

The bill also provides that the county commissioners shall issue these certificates in blank, that the name of the watcher is not inserted by the county commissioners as is the practice at the present time, but that they shall be issued in blank. It seems to me that my colleague, while I can appreciate that he may have a desire to facilitate the elections, nevertheless I am certain that he has not looked ahead and seen the consequences that can happen in a measure of this kind. This bill, I am certain, would promote the buying of elections, that it would promote fraud in elections, because if the county commissioners, for instance, in a county such as ours, with pretty nearly five hundred precincts where they issue to each candidate two watchers certificates in blank for each precinct, it would mean that a candidate could walk in and get one thousand blanks, or watchers certificates without any name and if there were eight or ten candidates or more on the ticket you can see that there would be then eight or ten thousand watchers' certificates issued in blank to any political party or to any political group. That would mean that the county commissioners, who as the election board are charged with the responsibility of conducting elections, would be responsible for the watchers and yet they would have no knowledge as to whom these watchers certificates have been issued.

In the second place, if there were any difficulties at the polls, or if there were any disorders and frauds, it would be difficult to check up because it would be very simple for the person holding a watcher's certificate to destroy it and no one would ever know whether it was ever issued. I think we are all familiar enough with elections to know that watchers are paid at the polls, and what that would mean in an election, let us say where it would be possible to have maybe eight or ten thousand blank watchers' certificates issued and in the hands of any group, I am sure you can realize that the opportunity for fraud is extremely great. As I said before, I am certain that my colleague did not see the length to which this may go or I do not believe that he would have sponsored the bill. I ask the House to vote "no" on this bill.

Mr. LAYER. Mr. Speaker, it does me honor to have a gentleman such as my colleague from Delaware, Mr. Turner, opposing me on this measure. The gentleman from Delaware made a very fine talk on this particular

bill but I would like to tell the Members of the House that there are amendments prepared and to save a legislative day everything will be amended out of this bill with the exceptions of standardizing the watchers, the amount of money that is paid to the watchers.

Mr. Speaker, as the present law stands to-day, the watcher's fee is ten dollars in each city and five dollars in counties, and when the returns are made after the elections are over, there is a great deal of confusion. This bill will standardize the watcher's fee and make it ten dollars throughout the state, and I do ask you to support this bill.

Mr. ANDREWS. Mr. Speaker, when and where will the bill be amended?

Mr. LAYER. Mr. Speaker, I would like to inform the Members of the House that an agreement has been made that the bill will be amended in the Senate.

Mr. ANDREWS. Mr. Speaker, I have known the Senate these many years. If the gentleman from Delaware can name some names over there from whom he has definite commitments, and will outline his amendments and read them to the House, I will be very glad to commit the matter to the Senate, but without knowing from whom he has received assurances and without having the amendments he proposes to insert in the Senate and without having the amendments read to the House, it is a little difficult to agree with his bargain.

Mr. LAYER. Mr. Speaker, I would like to inform the Members of this House that the Honorable Senator Lord will amend this bill. I would also like to inform the gentleman from Cambria that if the bill is not amended I will ask that we do not concur when the bill does come back. This is a rather unusual thing. I said the bill will be amended to take out everything but the ten dollar fee, and Mr. Speaker, that is what I meant.

Mr. LOVETT. Mr. Speaker, I do not feel that I want to get in any quarrel with anybody, but let's be fair about this thing. I cannot vote for a bill that has all this stuff in it with the expectation that anybody is going to take it out. I cannot vote for the bill in the first place. So unless we can tear a lot of leaves out of the bill before we vote upon it, I certainly cannot vote for this bill.

Mr. TURNER. Mr. Speaker, I have no question in my own mind that the gentleman from Delaware, Mr. Layer, is perfectly sincere. I would have the utmost confidence in his integrity to carry out the program which he has stated. But the difficulty and the only thing in which my colleague was in error was that if by any chance the Senate failed to amend this bill and to pass it, he would have no chance to non-concur, because the bill would come back in exactly the form in which it now is.

Mr. Speaker, I would be willing and very glad to agree and ask the House to agree to give unanimous consent to the gentleman from Delaware, Mr. Layer, to introduce amendments and have them inserted in the bill at this time but I have some hesitancy, as much as I certainly would like to accommodate the gentleman from Delaware, I have some hesitancy in the late days of the session in sending the bill to the Senate with the undoubted agreement both between the gentleman from Delaware and the Senator from Philadelphia, Senator Lord, whom I know and whom I also respect and who I know would attempt to carry out any part of the agree-

ment, but I would have some hesitancy in agreeing to pass this bill in that way to the Senate.

If the gentleman will ask for unanimous consent to introduce amendments, I would certainly ask this House to grant him unanimous consent, as I do not in any way desire to prevent the carrying out of the promise on the part of the gentleman from Delaware, Mr. LAYER.

Mr. LAYER. Mr. Speaker, if the House will be kind enough to give me about three minutes time on those amendments, I will ask unanimous consent to have those amendments inserted.

BILL PASSED OVER

The SPEAKER. The Chair hears no objection. The bill is temporarily passed over.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 11, 1947.

Resolved, (if the Senate concurs), That House Bill No. 466, Printer's No. 628, entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," be recalled from the Governor for the purpose of amendment.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 11, 1947.

Resolved (If the House of Representatives concur), that Senate Bill No. 569, Printer's No. 343, entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appoints dividing the Commonwealth into administrative removal and discharge of its officers clerks and em-districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEE

Mr. YEAKEL from the Committee on Rules, reported as committed, Senate Resolution Serial No. 124.

Mr. YEAKEL from the Committee on Rules, reported as committed Senate Resolution Serial No. 125.

Mr. YEAKEL from the Committee on Rules, reported as committed, Senate Resolution Serial No. 127.

Mr. YEAKEL from the Committee on Rules, reported as committed, Senate Resolution Serial No. 128.

SENATE MESSAGES

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 27, 1947.

Whereas, the historic buildings and sites which constitute the tangible remains of Pennsylvania's rich and inspiring historic past are at the present time in constant danger of destruction as a result of modern progress and its concomitant expansion of residential and business buildings developments embracing wider and wider areas, and

Whereas, many significant buildings or sites in Pennsylvania have already been destroyed, deformed or misused, not through any deliberate intention or malevolent design to wipe out the landmarks of the Commonwealth's proud history, but through mere unawareness of their value and importance, and

Whereas, all historic buildings and sites throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future citizens of the Commonwealth, and

Whereas, no agency of the Commonwealth is presently empowered or directed to take steps for the protection and preservation of historic buildings and sites without prior authorization given in each case by the General Assembly, New Therefore Be It:

Resolved; (if the House concur) That the General Assembly of the Commonwealth of Pennsylvania hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum Commission, to make a survey and prepare a list of all the historic buildings and sites and archaeological sites which it deems to be of distinctive significance and value to the history or archaeology of this Commonwealth, and to report this list to the General Assembly at its next regular session with recommendations for appropriate legislation to assure the safety and preservation of such buildings and sites; and be it further

Resolved, That the General Assembly hereby authorizes the Joint State Government Committee, with the advice and cooperation of the Pennsylvania Historical and Museum Commission, to declare any historic building or site or any archaeological sites to be of distinctive significance and value to the history or archaeology of this Commonwealth; and urgently requests any person or persons owning or having custody of a building or site which the Joint State Government Committee has so declared to be of distinctive significance and value not to sell or destroy such building or site until the General Assembly at its next regular session has had an opportunity to take appropriate action.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 5, 1947.

Whereas, The Gettysburg Address of President Abraham Lincoln is an outstanding classic and will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and

Whereas, In that address Mr. Lincoln adjured his fellow countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth," therefore, be it

Resolved, (if the House of Representatives concur), That November 19, the anniversary of the delivery of the Gettysburg Address, be, and hereby is, designated in our calendar of special days as Dedication Day, and be it further

Resolved, That the Governor of Pennsylvania is requested to proclaim November 19 as Dedication Day and to suggest that the address be read on that day in schools and public assemblages throughout the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 9, 1947.

Whereas, a park and recreational area has been projected for establishment in the Township of Mead, County of Warren, by the Department of Forests and Waters in cooperation with various sportsmens' organizations to be located generally in the location of what is known as Bucher's Mills, and

Whereas, the interest of Dr. Leroy E. Chapman, Senator from the Forty-eighth District, in the establishment and location of the said park and recreational area has been of great assistance in furthering the plans for the same, and

Whereas, it would be fitting that such a project for the benefit of the public, bear the name which would recognize his service to the community of such a man as Doctor Chapman; Therefore be it

Resolved, if the House of Representatives concur, that the park and recreational area to be established at or near Bucher's Mills in Mead Township, Warren County, Pennsylvania, be and the same hereby is officially named "Chapman Park," and shall be so designated on the plans and maps of the Department of Forests and Waters and of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 9, 1947.

Whereas, The commission generally known as "The School Commission," created by the act of May 26, 1943 (P. L. 635) and continued by the act of May 24, 1945 (P. L. 53), for the purpose of making a study of public school finance, has completed its assigned task and is about to pass out of existence; and

Whereas, In the course of its studies, the commission has gathered a great deal of invaluable data and information, now contained in the commission's files, all of which should be preserved for future use; therefore be it

Resolved, (If the House of Representatives concurs), That upon winding up its affairs The School Commission deliver all of its files containing all data, reports, material and information collected and compiled by it, to the Joint State

Government Commission, to be by it preserved for use by it and such other agencies as may have occasion to study the financing of the public school system.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION No. 59

Mr. DAVISON. Mr. Speaker, I desire to call up at this time House Resolution No. 59 on page 36 of today's calendar.

The resolution was read as follows:

In the House of Representatives, June 3, 1947.

Whereas The Commonwealth of Pennsylvania since the birth of the Nation has been a leader among the industrial states of the United States and

Whereas Because of its wealth of natural resources its force of skilled and able workmen its heavy population its access to the commercial markets through its location with access to the Atlantic Ocean the Great Lakes the Mississippi Valley and nation wide rail transportation facilities and the basic industries located within its borders it offers to industry in general fundamental and important advantages which few if any other states can duplicate and

Whereas In order to maintain this position as an industrial leader it is incumbent that a study and investigation be made of the causes behind the decreasing number of new industries being established in the Commonwealth and the reasons for the failure of established industries to expand and modernize their plants in this State while they carry on such programs in their plants in other states and

Whereas although there have been many conflicting reasons advanced for this problem no comprehensive study of causes therefor has been made nor has any legislative program or other plan been presented to combat this trend therefore be it

Resolved That the Joint State Government Commission is hereby requested to make a comprehensive and thorough study and investigation into the cause and reasons for this movement of industry from the Commonwealth and the decrease in the number of new industries being established in the Commonwealth and to evolve from such study and investigation recommendations of a legislative program designed to attract the retention expansion and growth of industry already located in the Commonwealth and the establishment of new industries therein which recommendation shall be presented to the General Assembly at its next regular session

On the question,

Will the House adopt the resolution?

Mr. LOVETT. Mr. Speaker, is this resolution No. 59?

The SPEAKER. That is right.

Mr. LOVETT. Mr. Speaker, may I interrogate the sponsor of the resolution, the gentleman from Allegheny, Mr. Davison?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. DAVISON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman have any knowledge of the number of factories that are moving out of the state of Pennsylvania or the number that are refusing to come into the state of Pennsylvania for some unknown reason?

Mr. DAVISON. Mr. Speaker, we have a case in western

Pennsylvania today where the United States Steel is moving a factory out of Ellwood City, and we cannot have many Ellwood Cities in western Pennsylvania without seriously affecting our economy.

Mr. LOVETT. Does the gentleman have any knowledge why they are moving out?

Mr. DAVISON. Mr. Speaker, the mill, as I understand, is an old mill and they do not want to rebuild it. It is an antiquated mill.

Mr. LOVETT. The gentleman knows of no other cases in Pennsylvania, is that right?

Mr. DAVISON. Mr. Speaker, there are a good many cases similar to that. We are losing a lot of new construction in mills. I could give you the Copperweld in Glassport. It is a new plant, The United States Steel Corporation is building a new plant in New Jersey. We could just as well have it built in Pennsylvania where we have better port facilities in Philadelphia than they have in New Jersey.

Mr. LOVETT. Mr. Speaker, does the gentleman have any figures from the Department of Commerce in Pennsylvania in regard to the number of factories that for some unknown reason are not building in Pennsylvania or are leaving Pennsylvania?

Mr. DAVISON. Mr. Speaker, my belief is that the gentleman from Westmoreland will find that the purpose of this resolution is to make a complete investigation of that situation.

Mr. LOVETT. Mr. Speaker, at this particular time the gentleman has no knowledge or no figures to substantiate the resolution, is that right?

Mr. DAVISON. Mr. Speaker, I believe the entire purpose of my resolution is to make that investigation. We know in Western Pennsylvania that the steel mills are not being modernized. We are not getting new ones. They are moving to the midwest.

Mr. LOVETT. Mr. Speaker, does the gentleman not know that the Department of Commerce is very much interested, and that they are continuously making such investigations?

Mr. DAVISON. That is right, but we haven't had a program on the floor and perhaps we have neglected certain things that these companies object to.

Mr. LOVETT. Mr. Speaker, I do not entirely oppose the idea back of this, but I do oppose and have always opposed the idea that due to our tax structure and our labor laws our factories leave Pennsylvania or do not build their plants in Pennsylvania for that reason. I know and you know that any manufacturer who has any large plant in the state of Pennsylvania, who may find that one of our neighboring states has a lower rate of taxation on industry that that manufacturer would be very foolish to move his factory out of the state of Pennsylvania, when the Legislature in that particular state that he moves into, at the next session of the Legislature may change the picture entirely and he might want to move back into Pennsylvania.

The wording of this resolution, "an investigation as to the causes and reasons for the moving of industry from the Commonwealth" to me is not very good. I say that in most cases this idea that our factories are going to move out of the State of Pennsylvania or are not building factories in the State of Pennsylvania is brought about by

the corporations themselves. They think that if they can get the Members of the Legislature interested in studies and so on and so forth, they will relieve some of the taxation in Pennsylvania.

I do not think that Pennsylvania over taxes its industries. I have listened to that story under the Democratic administration that the factories were moving out of the state of Pennsylvania. Now I am listening to the same story under a Republican administration. I say to you that the corporations in the state of Pennsylvania owe something to the people of Pennsylvania who make such corporations great, and if we assess taxes in the state of Pennsylvania for the betterment of our aged, for our infirm, which in many cases come out of these factories, I say that those factories should be ashamed to even state that they are moving out of the state of Pennsylvania for those reasons. I only want to make that statement to the Members of the House because I feel it is unfair to even allow the sentiment to creep in that we are being unfair in the state of Pennsylvania in regard to taxation.

Mr. DAVIDSON. Mr. Speaker, I do not believe that anything in this resolution even hints that we are over taxing our industries in Pennsylvania. However, an investigation will bring to light whether or not we are. There are many and various reasons why our industries might be leaving, and it would take a comprehensive investigation to find out just what the causes are. I therefore ask this House to support this resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION No. 62

Mr. ANDREWS. Mr. Speaker, I desire to call up at this time House Resolution No. 62 on page 36 of today's calendar.

The resolution was read, considered and adopted.

In the House of Representatives, June 5, 1947

Whereas The several counties of the Commonwealth in recognition of the service and devotion of the men and women of the county who served the Nation in the armed forces during the first and second World Wars propose to establish permanent records and mementos to them and

Whereas Rosters by counties are available in the Department of Military Affairs for the service personnel of World War II but are obtainable only for the Commonwealth at large for the first World War therefore be it

Resolved (If the Senate concurs) That the Department of Military Affairs is hereby directed to prepare and compile a separate roster for each county of the Commonwealth of the residents of the county who served during World War I and to make the same available to the proper authorities of the county as early as the same can be accomplished

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. LAYER. Mr. Speaker, I wish to call up House Bill No. 1114, Printer's No. 846, on page 34 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1114, as follows:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing dues upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the issuance of watcher's certificates and the compensation of watchers

On the question,

Will the House agree to the bill on third reading?

Mr. LAYER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by striking out the words "clause (e) of section three hundred two and" and inserting in lieu thereof "subsection (c) of,"

Amend title, page 2, last line of title, by striking out the words "issuance of watcher's certificates and the,"

Amend sec. 1, page 2, line 1, by striking out the words "Clause (e) of section three hundred two and" and inserting in lieu thereof "Subsection (c) of."

Amend sec. 1, page 2, line 11, by striking out the word "are" and inserting in lieu thereof "is."

Amend sec. 1 (Sec. 302), page 2, lines 13 and 14, by striking out all of said lines.

Amend sec. 1 (Sec. 302), page 3, lines 1 to 7, by striking out all of said lines.

Amend sec. 1 (Sec. 417), page 3, by inserting between lines 8 and 9, the following: "* * * *"

Amend sec. 1 (Sec. 417), page 3, lines 9 to 19, by striking out all of said lines.

Amend sec. 1 (Sec. 417), page 4, lines 1 to 20, by striking out all of said lines.

Amend. sec. 1 (Sec. 417), page 5, lines 1 to 8, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ANNOUNCEMENT

The SPEAKER. The Chair would again like to announce that tomorrow night at eight o'clock the special program committee will be in charge. There will be a regular session and I would certainly encourage all of the Members to be present.

The Chair understands that the Committee has gone to a great deal of trouble to present a very fine program. There, of course, will be a serious part to this program, but also a great deal of fun, and the Chair would again ask the Members to make their plans accordingly so that they may be present tomorrow evening.

COMMITTEE MEETINGS

Education, Room No. 324, Thursday, June 12, 1947, at 12 o'clock Noon, D. S. T.

Judiciary, Room No. 438, Thursday, June 12, 1947, at 12 o'clock Noon, D. S. T.

Ways and Means, New House Caucus Room, Thursday, June 12, 1947, at 10:30 a. m., D. S. T.

Special Committee—Resolutions of Recognition, New House Caucus Room, Thursday, June 12, 1947, at 11:30 a. m., D. S. T.

ADJOURNMENT

Mr. SORG. Mr. Speaker, I move that this House do now adjourn until Thursday, June 12, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 6:19 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, JUNE 12, 1947.

No. 74.

SENATE

THURSDAY, June 12, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Thou who art wonderful, counselor, the mighty God, he everlasting Father, Prince of Peace! We bow head and heart before Thy Holy Presence in deep and abiding humility. We are fully aware of the tremendous responsibility which has been resting upon the shoulders of Thy servants, here in this Legislative Chamber these past months. Be pleased to bless, to the good of the citizenry of our state, the just decisions rendered, from time to time, and forgive us if we have come short, at times, of the highest and best of which we were capable. Grant, O Lord, that peace and harmony may prevail throughout our state and nation. Be pleased to make us partakers of the sacrament of unity and light, sharing the mystic secret of the very soul of things moral and spiritual. In the closing days of this Legislative Session, steady us with the assurance that our labor has not been in vain; and that we have been good stewards of Thy time, and faithful servants of the Commonwealth. Grant us wisdom, grant us courage, for the facing of all future days, we pray in the name of Christ, our Lord! Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. AGNER, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 12, 1947.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Albert E. Gold, Bakewell Bldg., 417 Grant St., Pittsburgh.

George W. Lang, Coraopolis.

James R. Russell, Springdale.

BEAVER COUNTY

J. H. McKeague, Potter Twp., Box 92, Monaca.

BEDFORD COUNTY

Mrs. Mildred J. Hyde, Bedford.

BERKS COUNTY

Woodrow W. Mertz, Kutztown.

DELAWARE COUNTY

Wm. W. McCracken, Aldan.

INDIANA COUNTY

E. James Trimarchi, Indiana.

LACKAWANNA COUNTY

Donald A. Seal, Scranton.

LANCASTER COUNTY

J. Frederick Esbenshade, Manheim Twp., R. D. 3, Lancaster.

McKEAN COUNTY

Mrs. Lillian M. Eisenhart, Bradford.

MONTGOMERY COUNTY

John T. Harnett, Norristown.

PHILADELPHIA COUNTY

Harold R. Kremer, c/o Gimbel Bros., Inc., N.E. Cor. 9th and Chestnut Sts., Philadelphia.
Miss Jane T. O'Brien, 929 Land Title Bldg., Phila. (10).
Seymour L. Weiner, 2311 S. 5th St., Phila.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WALKER and Mr. BARR, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	McGie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

JUSTICE OF THE PEACE

George P. Fichter, Jr., 22 West Broad Street, West Hazleton, Luzerne County, as Justice of the Peace in and for the Borough of West Hazleton, Luzerne County, until the first Monday of January, 1948, vice George P. Fichter, deceased.

ALDERMAN

Gaetano J. Suppa, 68 Rochester Street, Bradford, McKean County, as Alderman in and for the Fifth Ward of the City of Bradford, McKean County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE PENNSYLVANIA BOARD OF PAROLE

Major Henry Clarke Hill, Camp Hill, for the term of four years, to compute from June 18, 1947, and until his successor is appointed and qualified. (Reappointment)
Theodore H. Reiber, West View, for the term of four years, to compute from June 18, 1947, and until his successor is appointed and qualified. (Reappointment)

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

James F. Torrance, Export, to serve until June 4, 1957, and until his successor is appointed and qualified. (Reappointment)

MEMBER OF THE STATE WELFARE COMMISSION

Paul N. Schaeffer, Reading, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Mrs. Mary C. Stackpole, Clarks Valley, Dauphin, to serve until the third Tuesday of January, 1951, and until her successor is appointed and qualified.

Mrs. Mary B. Hanson, The Barclay, Philadelphia, to serve until the third Tuesday of January, 1951, and until her successor is appointed and qualified.

Charles L. Brown, City Hall, Philadelphia, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Dr. Lewis T. Buckman, 26 West River Street, Wilkes-Barre, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Dr. George W. Smeltz, University of Pittsburgh, Pittsburgh, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

William A. Baird, Cambridge Springs, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Alan M. Scaife, Oliver Building, Pittsburgh, to serve until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

Thurston Wright, Union Trust Building, Pittsburgh, from October 15, 1946, for the term of four years, and until his successor is appointed and qualified.

Clarence W. Head, Gulf Building, Pittsburgh, from October 21, 1946, for the term of four years, and until his successor is appointed and qualified.

JAMES H. DUFF.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 11, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ARMSTRONG COUNTY

Joseph Kamer (Republican), 1227 Fifth Avenue, Ford City, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Ralph Bittinger, Ford City, whose term expired.

SCHUYLKILL COUNTY

John E. Schlottman (Republican), 218 West Market Street, Pottsville, from January 3, 1946, until December 31, 1947.

William B. Ulmer (Republican), 101 South Centre Street, Pottsville, from January 3, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Martha Haley (Democrat), 1334 West Norwegian Street, Pottsville, from January 3, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Archie D. Straughn (Republican), Shenandoah Heights, Shenandoah, to serve until December 31, 1949, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Marguerite M. Freeston (Republican), 718 Mahan-tongo Street Pottsville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice James Redclift, Jr., Shenandoah, whose term expired.

W. J. Roberts (Republican), Girardville, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Harvey Luckenbill, Orwigs-burg, whose term expired.

YORK COUNTY

Wm. F. Allen (Republican), 1650 1st Avenue, York, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice H. C. Ulmer, York, whose term expired.

Mrs. Gertrude M. Fitzgerald (Republican), 100 Spring-dale Road, York, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Nellie B. Nelly, High Rock, whose term expired.

Clarence Green (Republican), 31 North Adams Street, York, to serve until December 31, 1948, and until his suc-cessor is duly appointed and qualified, vice Mrs. Caroline Mrs. Nellie B. Neely, High Rock, whose term expired.

Charles L. Huber (Republican), 404 West Philadelphia Street, York, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice Dr John E. Sheffer, York, whose term expired.

Mrs. Regina M. Heller (Democrat), 339 East Market Street, York, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Kathryn R. Fix, York, whose term expired.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being intro-duced presented for concurrence bills of the House, as follows:

House Bill No. 116, entitled:

An Act to further amend Article 111 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provi-sions thereof.

Which was committed to the Committee on State Gov-ernment.

House Bill No. 505, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue pur-poses and permitting penalties to be imposed and enforced.

Which was committed to the Committee on Local Government.

House Bill No. 556, entitled:

An Act to further amend the second paragraph of sec-tion one thousand four hundred four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," em-powering the State Council of Education to prescribe and adopt rules, regulations, standards and qualifications governing the transportation of pupils.

Which was committed to the Committee on Education.

House Bill No. 641, entitled:

An Act fixing the salary of county controllers in counties f the second, third, fourth, fifth and sixth, classes and repealing parts of acts inconsistent therewith.

Which was committed to the Committee on Local Government.

House Bill No. 693, entitled:

An Act to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1383), entitled "An act to protect the health, safety and welfare of the public, by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Common-wealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining oper-ations; defining the powers and duties of said board; authorizing purchase or condemnation of necessary proper-ties, easements, rights and right-of-ways; and making an appropriation," authorizing the Water and Power Res-ources Board to sell waters from canals, and to lease, sell and convey real, personal or mixed property, acquired by it.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1120, entitled:

An Act to amend section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Regis-tration Act for Boroughs, Towns and Townships," making special provisions for manner of registration in boroughs, towns, and townships of less than a certain population in certain counties.

Which was committed to the Committee on Education.

House Bill No. 1200, entitled:

An Act to provide for the establishment of a State fre-quency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively; authorizing the survey of broadcasting sites and the purchase of necessary sites and equipment; providing for the construction of a master station and subsidiary stations as needed for state-wide coverage; creating within the Department of Public In-struction, a Division of Radio and Audio-Visual Education; establishing within such division a lending library of re-cordings, scripts, films and slides; conferring powers and imposing duties upon the Superintendent and Department of Public Instruction; and appropriating funds for such developments.

Which was committed to the Committee on State Gov-ernment.

House Bill No. 1219, entitled:

An Act to further amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L.

2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," by further defining the powers and duties of the commission.

Which was committed to the Committee on State Government.

House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Carbon County for use as a State Park and recreation area; providing for the management of said department, and defining the uses to which the property shall be put, and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1346, entitled:

An Act relating to the salaries of certain county officers of counties of the second class.

Which was committed to the Committee on Local Government.

House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class.

Which was committed to the Committee on Local Government.

House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

Which was committed to the Committee on Local Government.

House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fifth class.

Which was committed to the Committee on Local Government.

House Bill No. 1350, entitled:

An Act relating to the salaries of certain county officers of counties of the sixth class.

Which was committed to the Committee on Local Government.

House Bill No. 1351, entitled:

An Act relating to the annual salaries of certain county officers of counties of the eighth class.

Which was committed to the Committee on Local Government.

House Bill No. 1352, entitled:

An Act relating to the annual salaries of certain county officers of counties of the seventh class.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 569

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, June 11, 1947.

Resolved (If the House of Representatives concur) That Senate Bill No. 569, Printer's No. 343, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

SCHOOL COMMISSION TO DELIVER ALL ITS FILES, REPORTS, ETC. TO THE JOINT STATE GOVERNMENT COMMISSION.

In the Senate, June 9, 1947.

Whereas, The commission generally known as "The School Commission," created by the act of May 26, 1943 (P. L. 635) and continued by the act of May 24, 1945 (P. L. 953), for the purpose of making a study of public school finance, has completed its assigned task and is about to pass out of existence; and

Whereas, In the course of its studies, the commission has gathered a great deal of invaluable data and information, now contained in the commission's files, all of which should be preserved for future use; therefore be it

Resolved, (If the House of Representatives concurs), That upon winding up its affairs The School Commission deliver all of its files containing all data, reports, material and information collected and compiled by it, to the Joint State Government Commission, to be by it preserved for use by it and such other agencies as may have occasion to study the financing of the public school system.

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

DESIGNATING NOVEMBER 19th AS DEDICATION DAY AND URGING THAT LINCOLN'S GETTYSBURG ADDRESS BE READ ON THAT DAY

In the Senate, June 5, 1947.

Whereas, The Gettysburg Address of President Abraham Lincoln is an outstanding classic and will touch the hearts of men and inspire them with faith in our matchless democracy as long as time endures; and

Whereas, In that address Mr. Lincoln adjoined his fellow

countrymen to dedicate themselves to the principles of democracy in order that government "of the people, by the people, and for the people shall not perish from the earth;" therefore, be it

Resolved, (if the House of Representatives concur), That November 19, the anniversary of the delivery of the Gettysburg Address, be, and hereby is, designated in our calendar of special days as Dedication Day, and be it further

Resolved, That the Governor of Pennsylvania is requested to proclaim November 19 as Dedication Day and to suggest that the address be read on that day in schools and public assemblages throughout the Commonwealth.

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

CHAPMAN PARK

In the Senate, June 9, 1947.

Whereas, a park and recreational area has been projected for establishment in the Township of Mead, County of Warren, by the Department of Forests and Waters in cooperation with various sportsmen's organizations to be located generally in the location of what is known as Bucher's Mills, and

Whereas, the interest of Dr. Leroy E. Chapman, Senator from the Forty-eighth District, in the establishment and location of the said park and recreational area has been of great assistance in furthering the plans for the same, and

Whereas, it would be fitting that such a project for the benefit of the public, bear the name which would recognize the service to the community of such a man as Doctor Chapman; Therefore be it

Resolved, if the House of Representatives concur, that the park and recreational area to be established at or near Bucher's Mills in Mead Township, Warren County, Pennsylvania, be and the same hereby is officially named "CHAPMAN PARK," and shall be so designated on the plans and maps of the Department of Forests and Waters and of the Commonwealth of Pennsylvania.

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

JOINT STATE GOVERNMENT COMMISSION IN COOPERATION WITH THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION TO MAKE A SURVEY OF ALL HISTORICAL AND ARCHAEOLOGICAL BUILDINGS AND SITES IN THE COMMONWEALTH

In the Senate, May 27, 1947.

Whereas, the historic buildings and sites which constitute the tangible remains of Pennsylvania's rich and inspiring historic past are at the present time in constant danger of destruction as a result of modern progress and its concomitant expansion of residential and business buildings developments embracing wider and wider areas, and

Whereas, many significant buildings or sites in Pennsylvania have already been destroyed, deformed or misused, not through any deliberate intention or malevolent design to wipe out the landmarks of the Commonwealth's proud history, but through mere unawareness of their value and importance, and

Whereas, All historic buildings and sites throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future citizens of the Commonwealth, and

Whereas, No agency of the Commonwealth is presently empowered or directed to take steps for the protection and preservation of historic buildings and sites without prior authorization given in each case by the General Assembly, now therefore be it

Resolved (if the House concur) That the General Assembly of the Commonwealth of Pennsylvania hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum

Commission to make a survey and prepare a list of all the historic buildings and sites and archaeological sites which it deems to be of distinctive significance and value to the history or archaeology of this Commonwealth, and to report this list to the General Assembly at its next regular session with recommendations for appropriate legislation to assure the safety and preservation of such buildings and sites; and be it further

Resolved, That the General Assembly hereby authorizes the Joint State Government Committee, with the advice and cooperation of the Pennsylvania Historical and Museum Commission, to declare any historic building or site or any archaeological site to be of distinctive significance and value to the history or archaeology of this Commonwealth; and urgently requests any person or persons owning or having custody of a building or site which the Joint State Government Committee has so declared to be of distinctive significance and value not to sell or destroy such building or site until the General Assembly at its next regular session has had an opportunity to take appropriate action.

HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

ROSTER FOR SERVICE PERSONNEL OF WORLD WAR I

In the House of Representatives, June 9, 1947.

Whereas, The several counties of the Commonwealth, in recognition of the service and devotion of the men and women of the county, who served the Nation in the armed forces during the first and second World Wars, proposes to establish permanent records and momentos to them; and

Whereas, Rosters by counties are available in the Department of Military Affairs for the service personnel of World War II, but are obtainable only for the Commonwealth at large for the first World War; therefore be it

Resolved (If the Senate concurs), That the Department of Military Affairs is hereby directed to prepare and compile a separate roster for each county of the Commonwealth of the residents of the county who served during World War I, and to make the same available to the proper authorities of the county as early as the same can be accomplished.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 41

He also returned to the Senate, Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof and eliminating the provision relative to the rotating of magistrates hearing such offenses in first class cities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 459

He also returned to the Senate, Senate Bill No. 459, entitled:

An Act to add subsection E to section one thousand two of the act approved the fifth day of May one thousand nine

hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments, commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts; further limiting the merger consolidation or conversion of building and loan associations in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 479

He also returned to the Senate, Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts, page fifty-five), entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings, for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap, for post-war repairs to monuments in France and Belgium, and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation"; by reducing the amount appropriated by said act.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 593

He also returned to the Senate, Senate Bill No. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 714

He also returned to the Senate, Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May one thousand nine hun-

dred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School".

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 807

He also returned to the Senate, Senate Bill No. 807, entitled:

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled, "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding subsection (d) thereto, providing for salaries for appointed members of the Commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 37

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 41

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 41, entitled:

An Act to amend section five hundred five of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "The Fourth to Eighth Class County Assessment Law," increasing the compensation of assessors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 345

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 345, entitled:

An Act to amend the title and sections one, two, four, five, eight, ten, eleven, twelve, thirteen, fourteen and sixteen of the act, approved the twenty-second day of May, on thousand nine hundred thirty-five (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," to provide for widows of members of pension funds in certain circumstances; to fix terms for which personnel of board of managers shall be elected; to change the method of determining availability for disability pensions; to fix the amount of contributions of members and pension payments to beneficiaries, and to provide in certain circumstances for the return of contributions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 365

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," increasing the resident fishing license fee, and authorizing the expenditure of money for the clearance of streams and experiments in methods for controlling stream pollution.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 553

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 553, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand eight hundred eighty-seven (P. L. 95), entitled "An act regulating the compensation of county auditors, within this Commonwealth," increasing the compensation of county auditors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 758

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 758, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by further defining "State employee" and "original member" to include Members of the General Assembly at their option; and [making an appropriation] permitting such members to retire under certain circumstances.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1001

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry; imposing powers and duties on the department relative thereto and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1076

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "Pennsylvania Labor Relations Act," declaring certain additional labor practices by employes to be unfair.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1106

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1106, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 401), entitled "An act defining and providing for the licensing and regulation of private trade schools and classes; conferring powers and imposing duties on the State Board for Vocational Education; and prescribing penalties," broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1180

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1180, entitled:

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "First Class Township," increasing the compensation of township auditors.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1278

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

SENATE BILL No. 580. RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant

business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 676 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," providing for licensing of excess insurance brokers in all kinds of insurance other than life.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 717 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs, alterations, replacements and improvements to existing plant facilities and equipment, for the purchase or replacement of equipment, furnishings, and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 783 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 783, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof,

including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions every person, association, and corporation required to pay, assess, or collect taxes, or to make returns of reports under the laws imposing taxes for State purposes, or to pay license fees for other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for resettlement, review and appeal in certain cases of domestic bonus disputes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 318 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to attack such sales are instituted within one year after the effective date of this act.

and has appointed Messrs. ROSE, RILEY and WEISS as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 195

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties; and making an appropriation.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 720

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 826

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 826, entitled:

An Act relating to strikes by public employes, providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and prohibiting strikes by public employes

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 827

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties.

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 952

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, p. 2897), entitled "Unemployment Compensation Law," by further defining employes ineligible to compensation.

AMENDMENT TO HOUSE BILL No. 1286 RECALLED
FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 33, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

Senate Bill No. 41, entitled:

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to reg-

ulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof and eliminating the provision relative to the rotating of magistrates hearing such offenses in first class cities.

House Bill No. 447, entitled:

An Act to further amend section two hundred thirteen and subsection B of section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448) entitled "Fish Law of 1925," further regulating the catching, possession, and sale of bait fish, and raising the license fee and increasing the length of time covered by tourist fishing licenses.

Senate Bill No. 459, entitled:

An Act to add subsection E to section one thousand two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, share holders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further limiting the merger, consolidation or conversion of building and loan associations in certain cases.

Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts, page fifty-five), entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings, for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap, for post-war repairs to monuments in France and Belgium, and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation"; by reducing the amount appropriated by said act.

House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act, approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by allowing the merger and consolidation of domestic and foreign nonprofit corporations.

Senate Bill To. 593, entitled:

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessors in townships of the first class providing for the appointment of a chief assessor assistant assessors and other em-

ployes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations

House Bill No. 635, entitled:

An Act to amend sections three and eight of the act, approved the sixth day of April, one thousand eight hundred thirty (1829-30 P. L. 272), entitled "An act for the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes," by further providing for the levy and collection of taxes in certain court proceedings.

Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

House Bill No. 745, entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for the budgeting of the traveling expenses of county and assistant county superintendents and the allocation of same.

Senate Bill No. 807, entitled:

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade charges and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding subsection (d) thereto, providing for salaries for appointed members of the Commission.

House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

House Bill No. 1111, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further defining "Dealers" and "Owner"; changing certain fees; further regulating the registration, titling, equipment, license plates and size of certain vehicles, and the licensing of operators; prescribing additional enforcement and penal provisions.

House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents.

House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, by condemnation or purchase, land or land and buildings within the City of Philadelphia, and within the City of Pittsburgh, or the County of Allegheny; and to construct, alter, improve and equip such property for use of the Commonwealth; providing for the maintenance thereof; and making an appropriation."

House Bill No. 1342, entitled:

A further supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts Page 63) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and forty-seven.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and gentlemen of the Senate, it is indeed regrettable that Senate Bill 792, introduced by Senator Heyburn and myself, was today doomed to extinction by the House Committee on Judiciary General. The House committee, by so acting, gave the green light to unscrupulous and gyp automobile dealers to further ply their nefarious trade.

As I said on the floor of the Senate a few weeks ago the pressure by the lobbyists, both on behalf of the manufacturers and the dealers, was terrific, and apparently they successfully accomplished their purpose.

May I now state for the record that yesterday I was informed by a stranger interested in this bill that he had word from the chairman of the House Judiciary Com-

mittee that the bill had little chance of coming out of committee, and obviously this gentleman knew whereof he spoke. Such is the way of legislation and sometimes of legislators—the public-be-damned attitude seems to be the popular slogan today. Here is a bill which was prepared, approved and encouraged by our own Attorney General Chidsey, and yet he is defied and ignored by certain members of the House.

I, however, thank the newspapers throughout the state for their courage and honesty in exposing the machinations and black-jacking of the public by unscrupulous car dealers.

PRESENTATION TO SENATOR HEYBURN

Mr. WALKER. Mr. President, we have arrived at that period of the legislative session when there are always motions to discharge committees and also, under the heading of pleasant duties to be performed, is that of expression of appreciation to certain people who have made our stay in Harrisburg and our legislative duties a little easier, a little more pleasant, and the results which we have accomplished on a little higher plane.

At the beginning of the 1947 session we had the opportunity of having as our President pro tempore of the Senate one of the finest public representatives who ever sat in this distinguished body.

Mr. President, during the time that our present distinguished President pro tempore was physically indisposed and could not be with us, the very distinguished gentleman from Delaware, Senator Heyburn, acted as President pro tempore and did so with honor, with dignity and with efficiency. He has been a member of this body for a good many years; he has been President pro tempore of the Senate and he has been the Republican floor leader.

I do not know of any man in this Chamber who has friends on both sides of the aisle or whose ability and judgment wins higher respect, and I want to say to Senator Heyburn that especially his colleagues on the Republican side of the aisle deeply appreciate his patience, his kindness, his unstinting cooperation and his ability to do the right thing at the right time in order to make our jobs a little easier.

Weldon, your smile has helped us a whole lot during these trying six months. There is nothing we can do or say to express to you the deep gratitude we feel, but on behalf of your Republican colleagues I would like to give you this slight token of our very deep appreciation of your very fine efforts in our behalf, and in behalf of the Commonwealth of Pennsylvania during this period of time and so, in behalf of the Commonwealth of Pennsylvania and its citizenry, and especially on behalf of the Republican side of this Senate, I present to you this slight token of their deep appreciation.

Mr. HEYBURN. Senator Walker, colleagues and friends, this indeed comes as a complete surprise. The last two times I got presents from this body I sort of expected them. Today Senator Walker came around to see me and he said "Give me five bucks, we are going to give you a fellow a present." I don not know whether my five dollars is in this present or not.

I want you to know, Mr. President, that it is a very

touching thing to have these gifts to take home. When you go home to the farm you can show them to the boys down there and really prove that there is some reason for you to come to the session and that you have accomplished something. As long as I have been in the Senate, every session I become more and more convinced that this is the finest body of legislators in the country—maybe this is not the time to say that, when we are trying to work out some agreement between the House and Senate—but nevertheless, Mr. President, I am sincere in that and I want you to know I appreciate this gift very much, this little token from the members of the Senate. Whether or not I have contributed myself, I do not know, but nevertheless it makes me awfully happy and I thank you all very much.

PRESENTATION TO SENATOR TALLMAN, MAJORITY FLOOR LEADER

Mr. BERGER. Mr. President and members of the Senate, I feel very gratified in joining in this happy occasion this afternoon in complimenting our leaders here on the Republican side of the Senate.

When we met at the beginning of the session, Mr. President, we selected a floor leader and in selecting Senator Tallman we felt that we had a man who would carry us through this session and lead us on the floor and whose ability and industry would be a credit to our caucus. That confidence, Mr. President, and I know I speak for my colleagues, was certainly not misplaced.

Mr. President, in the past, it has been the custom, at least on some occasions, to select gifts for the various men which could be taken home and there they would see the last of them because they were only appropriate for their wives. However, this time, Mr. President, the committee thought the men were entitled to get a break and in selecting the gifts consideration was given to that thought.

Mr. President, I feel deeply honored, speaking on behalf of all my colleagues here, to present at this time to our floor leader, Senator O. J. Tallman, this small token of our appreciation.

Mr. TALLMAN. Mr. President, I certainly first of all want to say that I appreciate the thoughtfulness of my colleagues in making this presentation. In view of what Senator Berger has said about past years—and I was one man who was fortunate enough to be honored by my colleagues—in all probability Mrs. Tallman shall be greatly disappointed.

And then I have some question too, which I am quite confident is shared by my colleague, Senator Dent, on this floor leadership matter, and there is some serious debate in my mind from time to time as to whether a floor leader is a leader or whether he is led, but that is something we both overcome, I think, as best we can.

Mr. President, I can only say, very sincerely, that I am greatly appreciative of this very fine token of esteem which my colleagues have presented to me and I appreciate even more than the gift the affectionate regard with which I know it came to me. I want to say to them that every bit of their affection, every bit of warmth, with which I receive this, they have from me in turn to them.

PRESENTATION TO SENATOR BECKER,
MAJORITY WHIP

Mr. KEPHART. Mr. President, we have in our caucus a parliamentarian par excellence; he puts the Lieutenant-Governor and Senator Walker, when presiding over the Senate, to shame; he conducts the caucus with fairness and impartiality; he never shows any bias whatsoever with respect to any bill he calls for a vote on. One of his colleagues gave him a gavel and a little stone on which to bang it, but the decorum of our caucus is so well preserved it is wholly unnecessary for him to use that gavel; he rules the caucus with a velvet hand, just tapping gently every now and then for order, no prompting from the sidelines, and everybody is completely quiet.

Unfortunately, Mr. President, he only has a two-dollar fountain pen and half the time it is either lost or out of ink. In appreciation of his services to the Republican caucus, we thought we ought to do something about that, and in our appreciation and our esteem for him, and in appreciation of the services he has rendered us, we are presenting him with this little token that will take care of that situation.

Senator BECKER. Mr. President, this is my seventh session in the Senate of Pennsylvania, four regular and three special. Heretofore I have been able to control my speaking on the floor because it was entirely within my own volition. My experiences during the sessions to which I have referred have been quite enobling. I should say, but I have not had any more pleasant session than the one which is just coming to a close.

When it became my responsibility to maintain order, if you please, among you whom I have affectionately my boys, it is true that once in a while, feeling heavy breath on both sides of me from those who were attempting to control legislation, and the finger on the shoulder, it has been necessary to wield the gavel rather heftily but at the conclusion of our meetings we have some away in one accord, sometimes in such an accord that it was to the dismay of our friends on the other side, but it was an accord that comes out of real cordiality between the thirty-four Republican members of the Senate.

I am the caboose, I think, of the train this afternoon and I certainly shall not do more talking than those who preceded me.

I certainly appreciate the gift from my colleagues. Thank you.

PRESENTATION TO SENATOR TAYLOR,
PRESIDENT PRO TEMPORE

Mr. WADE. Mr. President, I recall a few years back, during the very trying days of the war, when we had in Harrisburg a visitor from one of our allied countries who stated that science had made the world a great neighborhood but we as men are having difficulty living as neighbors.

I repeat that on this occasion, Mr. President and my colleagues, because it is my pleasant duty to make a little award in appreciation of the very fine services of the President pro tempore. The concern with which we were all visited—and when I say all, I mean certainly not only members of the Republican side of this Senate, because the inquiries coming from the opposite side indicated their

interest in the welfare and in the health of this gentleman to whom it is my privilege and pleasure to present this small token of esteem.

I remember the story a little boy in school to whom the teacher had tried to explain the word recuperate without very much success, until in desperation finally the teacher said, well, your father, after a long day of toil comes home at night and what does he do, and the little boy said, that is what mother has been trying to find out for years.

I merely use that illustration to remind you, my colleagues, that Senator Taylor spares no time or effort to make Harrisburg a neighborhood and, as state chairman of the Republican party, to make Pennsylvania a great neighborhood and his efforts, his untiring efforts on the part of all—because I know that those from the opposing side come to him and want this or that and if it is within his province or power or good politics, he grants it without exception.

Mr. President, in these closing days of the session, when we are touched to a certain extent with a feeling, because of the fine friendships we make here and because of the constitution of every single member of this Senate, we can not help but think of our parting with a little bit of sadness and, perhaps, to use the words of the poet when he said:

"Let fate do her worst, there are relics of joy;
Bright dreams of the past, which she can not destroy;
Which come, in the night-time of sorrow and care,
And bring back the features that joy used to wear.
"Long, long may my heart with such memories be filled!
Like the vase in which roses have once been distilled—
You may break, you may shatter the vase, if you will,
But the sweet perfume of the roses will linger there still."

And so, on behalf of the Republican Senators and your friends in the Senate, Senator Taylor, it is my unusual pleasure and privilege to present to you this token, but before I do so I want to remind Mrs. Becker, who is here, and I am sorry Mrs. Taylor, Mrs. Tallman and Mrs. Heyburn are not here, that these pen and pencil sets can be used by women as well as men and that their disappointment may not be so because with a little diplomacy on their part I am sure they will be privileged to carry these, what we believe to be useful and beautiful pen and pencil sets.

And to you, Senator Taylor, with the confidence and esteem of your colleagues and friends, I am privileged to make this presentation.

Mr. TAYLOR. Mr. President and gentlemen of the Senate, I remember when George was just a politician—now he is a statesman. If I were only as glib with words as he is I could find a way of thanking you.

But I knew something was coming because I saw a wholesaler jeweler come in the office an hour or so ago and I thought maybe they were getting them wholesale. I knew there was going to be something but of course I did not know it was going to be anything like this.

And I want to say to you that I am very happy to be alive; I would not give up the position of being Senator for anything in the world. Really I want to make a confession here. Ed Martin four years ago said "Don't run again, I am going to give you a nice place and you get

a nice pension and need not worry any more." I said, "Well, Governor, I would rather be in the Senate than accept anything you have to offer," and I mean that. The only thing that annoys me is that they asked me for five dollars, so maybe I have a dollar and a quarter in it, but that is all right.

I just want to thank you but I do not know how to say thank you.

PRESENTATION TO SENATOR DENT MINORITY FLOOR LEADER

Mr. BARR. Mr. President and members of the Senate, it is my extreme pleasure and duty to speak on behalf of a gentleman I admire and I think everybody in the Senate admires very much—I known the gentleman on the other side sometimes do not agree but I still think they have the utmost respect for our floor leader, Johnny Dent. In my opinion he is a dynamic leader and a man that we love to follow, he is gifted with a world of vitality and has never asked anyone to do a thing that he will not help them do.

We figured he had worked pretty hard this year and we figured with the bad bills passed this year we would have to build him up, because we think we are coming back here three years hence and run the state administration. So therefore, Mr. President—and we got these wholesale also, with the help of the Republican State Chairman—I took Senator Dent down to a sporting goods place today and let him pick his correct weight and we purchased for him a full set of matched irons and a full set of matched woods. I have sent down to the basement for them and soon as they get here I will present them to our leader.

Mr. DENT. Mr. President and my colleagues, needless to say I am pleased that in a busy session, towards the end of it, when everything is more or less upset and men are more anxious to get special legislation through and bills they are especially interested in through the various committees, that they can find time, on both sides of the Senate, to again return to that human quality of saying kind words to each other.

All of us work hard in whatever capacity we may find ourselves employed. Whether we are the spokesman for the majority party in the legislative body or whether we are the spokesman for the minority party, each of us has our job to do, and I believe that we all try to do it as honestly and as capably as we are endowed with the gifts to so perform.

I want to thank my colleagues for getting me a new set of golf clubs because when the war started I felt, due to certain personal considerations, I was not going to indulge in the game of golf until after hostilities ceased, and so, having a little farm on Chestnut Ridge, I put my golf clubs over on Chestnut Ridge and the mice did not know they were mine and ate the wrappings off them. The boys did not know that but it was very nice of them to replace them. You know, the last time they gave me a traveling bag and this time I was a little bit suspicious they were going to give me a railroad ticket.

However, since they have decided they want me to play a little—in the day time—I want to challenge the

golfers on the other side of the Senate and perhaps, during hours when we are waiting for bills to be printed, we will have a foursome appointed by a committee and decide upon the golf links which is the majority party in Pennsylvania. I am not a very good golfer but I work doggone hard at it, I can take longer and go through more motions to do what somebody else can do with less effort than anybody you have ever seen on a golf course. Of course, that is because I have difficulty in determining which end of the caddy to hit the club with and I do not know exactly which club to use at the right moment but Joe tells me the clubs are guaranteed against bad temper and distemper, so I am going to allow my friend, Jaspan, to play with them. Thank you.

The PRESIDENT. The Chair calls to the rostrum the gentleman from Dauphin, Mr. Taylor, to preside.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

STATEMENT BY PRESIDENT PRO TEMPORE

Mr. TAYLOR. Mr. President and gentleman of the Senate, this is a sad thing I have to say—I thought this was a happy occasion. As I told you, I contributed five dollars and I have \$1.25 invested in this and when I opened it up here is what I find, not even a five dollar pen in it, so I would like to meet with the gift committee when we have a recess and at least get my \$1.25 back.

Well, at this time, since I am so embarrassed and Johnny Walker did not get any present, I am going to call him to the rostrum to preside. I think it is not the intrinsic value of the gift, it is the honor.

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The Chair wishes to advise the President pro tempore that the only reason we collected five bucks from the people that got the gifts was that we tried to have a surprise party.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 334,
PRINTER'S No. 354

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 334, Printer's No. 354, entitled "An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled 'An act providing for the incorporation, as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights

of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates' by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities authorizing authorities to charge the cost of construction lateral sewers against properties benefited improved or accommodated thereby making such charges liens providing for the enforcement thereof and authorizing authorities to charge tapping fees for sewer connections."

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on State Government, reported as amended House Bill No. 568, entitled:

An Act establishing the Port of Chester.

Mr. HARE, from the Committee on Elections, reported as amended, House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections." further providing for payment of filing fees in certain cases.

Mr. STEVENSON, from the Committee on Local Government, reported as amended, House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," increasing the pay of auditors.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 152

Mr. STEVENSON. Mr. President, I present the report of the Committee of Conference on Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent municipal corporations subject to

this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

The PRESIDING OFFICER. The report will appear on tomorrow's Calendar.

REPORT FROM COMMITTEE

Mr. CARR, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 982, entitled:

An Act to amend section one of the act, approved the twenty-first day of March, one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining chiropody.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1046

Mr. CARR. Mr. President, I present report of the Committee of Conference on House Bill No. 1046, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172), entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels, signs and advertisements.

The PRESIDING OFFICER. The report will appear on tomorrow's Calendar.

REPORT OF COMMITTEE TO VISIT STATE INSTITUTIONS, TO CONSIDER PROPOSED LEGISLATION AND MAKE RECOMMENDATIONS

Mr. CARR. Mr. President, on behalf of the Committee on Public Health and Welfare, I submit report of the Joint House and Senate Committee which by resolution, was directed to visit the mental hospitals in the state, pursuant to Senate Resolution Serial No. 25 introduced by Senator Jacob Carr on February 11, 1947 and adopted by the Senate February 17, 1947, and House Resolution Serial No. 29 introduced by the Hon. Furman H. Gyger on March 12, 1947 and adopted by the House of Representatives March 19, 1947, to wit:

"Resolved,

"That the Members of the Senate Committee on Public Health and Welfare, together with any other Senators who may be interested in accompanying them, shall visit the State Institutions under the supervision of the Department of Welfare, in order more easily to consider and appreciate proposed legislation relating to such institutions and to make to the Senate such recommendations as they deem advisable."

We have placed copies of the statistical report on the desk of each Senator and member of the House and made copies available to the press and to the executive department of our Commonwealth.

These are accompanied by some general recommendations, which read as follows:

"General Recommendations:

"At the earliest possible moment the following action is indicated:

"Adequate and competent personnel should be obtained at the earliest possible time available. Increased compensation should be granted where recommended by the management.

"Consideration should be given to increasing the compensation of the heads of the various institutions either by an increased salary schedule or by elimination of the \$200.00 per month rental charged the Superintendents, and a corresponding adjustment for the personnel residing within the institutions, and in the allowance for housing for those residing outside.

"In many cases equipment and personnel for therapeutic use is entirely inadequate and equipment and qualified personnel to operate same should be provided.

"From the standpoint of bed space alone these institutions without exception are greatly overcrowded. However, this is not the worst feature of overcrowding since in every institution there seems to be dire need of day rooms where the patients for about sixteen hours each day are crowded into entirely inadequate rooms. In the construction of new facilities the need for adequate space for daytime rest and recreation should be given consideration.

"The need for new construction is apparent and should be taken care of at the earliest feasible time.

"Insufficient attention seems to have been given heretofore to clinical investigation and discovery of new cases before they have reached the incurable stage or the stage requiring long periods of time for cure. Some means should be found to make the discovery of mental illness a primary part of the system of control so that a large percentage of the afflicted may not require lifelong institutional care. Neglect of this feature in the past has been largely responsible for the present overcrowded conditions.

"Consideration should be given to setting up a system of closer co-operation between the State and the School

Administrations, hospitals and other public welfare organizations to the end that discovery of mental illness may be made at the earliest possible time.

"Doctors and others should be encouraged to disclose to the proper authorities evidences of mental illness whenever and wherever it appears.

"Segregation of patients with communicable disease is recommended immediately, particularly in respect to tuberculosis.

"As part of this report there are attached statements giving factual information as to individual institution which should be of value to the Department of Welfare in deciding the needs of each."

As you will recall, perhaps, there was allotted to the two committees, House and Senate, the total sum of \$3,000 for the making of this investigation. Of this amount there was allotted to the Senate committee \$1,250 and to the House committee \$1,750. My grandfather coming from North Ireland and being of Scotch-Irish descent, it is with real pride that I say to you that the Senate Committee, out of its \$1,250 allotted has spent \$453.70, with a few outstanding bills, which will make the total expenditure for this work by the Senate committee less than \$500. I want to express my sincere appreciation to the members of my committee, who gave their time and their energy to make these visits—we visited six different institutions—and in the preparation of the report which has come out of these visits. There has been a responsibility, and some of it has not been pleasurable, to look upon those poor unfortunate souls who have to be confined within these institutions, and to realize that perhaps in the past we have not done everything that we should have done for the alleviation of their condition, but there is a ray of hope in the fact that this Legislature has appropriated funds to be used for the purpose of doing things that need to be done and we are hopeful, as a result of what we have done, and as a result of what the Department of Welfare and the Executive Department of our state intend to do, that it will not be long until, at least within the state of Pennsylvania, we shall have a system of caring for the mentally unfortunate that shall surpass that of any other state in the union, and we look forward to the time when that shall be a reality.

The PRESIDING OFFICER. The remarks of the gentleman from Butler will be spread upon the Legislative Journal, and the report in full will be reproduced in the Appendix.

REPORT FROM COMMITTEE

Mr. BERGER, from the Committee on Education, reported as committed, House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing special education for children afflicted with cerebral palsy in school districts other than in cities of the first class.

HOUSE BILL No. 195 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties; and making an appropriation.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE
BILL No. 195

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

So the question was determined in the affirmative.

Ordered. That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 720 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE
BILL No. 720

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. FARRELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, —

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland.

Mr. DENT. I withdraw opposition to the motion, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 492,
PRINTER'S No. 185

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 492, Printer's No. 185, entitled "An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled 'An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith' by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 382,
PRINTER'S No. 100

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 382, Printer's No. 100, entitled "An Act to further amend section two hundred three to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing

the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas."

JAMES H. DUFF.

REPORTS FROM COMMITTEE

Mr. BARR. Pr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARR from the Committee on Local Government, reported as committed, House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid fixing the interests of all taxing authorities where such lands are purchased by the city providing for the distribution of moneys received as income from or resale of such lands and providing for a method of reselling such lands purchased by the city or by the city and school district within said city at any sale for the nonpayment of taxes free and clear of all mortgages ground rents interest in or claims against said lands

He also, from the Committee on Local Government, reported as committed, House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas over and terminer and general jail delivery quarter sessions of the peace County Court of Allegheny County and orphans' courts in counties of the second class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 805, entitled:

An Act to amend section twenty-five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" increasing the salaries of members of the commission.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, throughout this session our two floor leaders, the gentleman from Lehigh, Mr. Tallman, and the gentleman from Westmoreland, Mr. Dent, have been very lenient and very cooperative. Throughout the session many of us have gone home and we have been recorded as voting for or against a bill. But now, to expedite this session which is coming to an end, not including the session this afternoon, I want to serve warning that I shall challenge any vote that may be recorded unless that Senator answers to the roll call.

I say again the two floor leaders have cooperated, they have done a good job, but if they continue rising in place and wishing to be recorded, we will be here for a long time. I for one want to get home and if we attend to our duties we will not get home this week. So I say after today's session any member whose name is called and is recorded must be in his seat to answer that roll call, be he Democrat or Republican; otherwise I shall be compelled to challenge that vote.

Mr. TALLMAN. Mr. President, I have no objection at all to the remarks of the gentleman from Cambria concerning the presence of Senators for roll calls. I should merely like, however, to suggest to him that the difficult work of these closing days will be terribly impeded if he will not make some exception to the rule he has made and I merely request that he be good enough to be a little bit lenient with regard to those men who will of necessity be serving on conference committees so that the work may be done.

I merely request that respectfully of him and suggest that if he does not do that, then, of course, we may be obliged to stay here a great deal longer.

Mr. HALUSKA. Mr. President, I certainly agree with the gentleman from Lehigh, and any member who is serving on a conference committee, or any other committee, who is absent, if his name is presented to the Chair to be recorded as he wishes, I have no objection. I am referring to those members who are lobbying the House and outside and still they are recorded, so I again say that I agree with the gentleman from Lehigh that if the members are serving on committees they may be recorded, but otherwise they shall be challenged.

REPORTS FROM COMMITTEES

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Elections, reported as committed, House Bill No. 1120, entitled:

An Act to amend section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act

as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" making special provisions for manner of registration in boroughs towns and townships of less than a certain population in certain counties.

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 1346, entitled:

An Act relating to the annual salaries of certain county officers of counties of the second class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fifth class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1350, entitled:

An Act relating to the annual salaries and compensation of certain county officers of counties of the sixth class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1351, entitled:

An Act relating to the annual salaries and compensation of certain county officers of counties of the eighth class.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1352, entitled:

An Act relating to annual salaries and compensation of certain county officers of counties of the seventh class.

HOUSE BILL No. 826 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 826, entitled:

An Act relating to strikes by public employes, providing that such employes by striking terminate their employment; providing for reinstatement under certain condition and prohibiting strikes by public employes.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 826

Mr. TALLMAN. Mr. President, I move that the Senate

insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. DOEHLA. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 827 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 827

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. DONLAN. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL No. 952 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, p. 2897), entitled "Unemployment Compensation Law," by further defining employes ineligible to compensation.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 952

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. CRIDER. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Mr. BARR. Mr. President, when are we going to be allowed to know what these amendments are? These are most important bills and you are having us vote blindly without even knowing what amendments were put in by the House.

The PRESIDING OFFICER. These were Senate amendments placed in the bill by the Senate, and the House refused to concur in the amendments and the motion now before the Senate is that the Senate insist upon its own Senate amendments.

Mr. BARR. I want to be recorded as voting "no." I do not care whether the amendments were put in by the Senate, I want to know what they are. I am not going to stand here like a blind acorn.

The PRESIDING OFFICER. The amendments were inserted in the bill by the Senate.

Mr. BARR. That is all right but if you are going to try to railroad these amendments through I am going to insist that the bill be read. I am very serious.

The PRESIDING OFFICER. If the gentleman from Allegheny desires to refer to the action on the bill or on the adoption of the amendments, the Chair suggests to the gentleman in all seriousness that nothing is being attempted to be railroaded; the amendments were made in the Senate.

Does the gentleman from Allegheny desire to have repeated the motion just made by the gentleman from Lehigh?

Mr. BARR. Mr. President, I am even going back to the motion made before that on House Bill 926; by the time I got back to find what the bill was, the motion had passed and that is nonsense and I am not going to stand here and have it done. I want to know what I am voting on.

The PRESIDING OFFICER. Any time the gentleman from Allegheny desires to have the proceedings in this Chamber held up until he can check what is going on, all he has to do is so advise the Chair.

Mr. BARR. Mr. President, may we be at ease for a moment?

(The Senate was at ease).

Mr. BARR. Mr. President, I withdraw my objection.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION

INVITING THE 1952 OLYMPIC GAMES TO THE CITY OF PHILADELPHIA

Mr. LORD offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 12, 1947.

Whereas, Consideration of the site of the 1952 Olympic Games will be on the agenda of the International Olympic Committee at its meeting in Stockholm, Sweden in the near future and

Whereas, The Council of the City of Philadelphia has already extended an official invitation to have the 1952 Olympic Games held in that city, and

Whereas, A favorable decision by the International Olympic Committee would bring additional honors to the Commonwealth of Pennsylvania renowned for its hospitality to and keen interest in sports and sportsmen; therefore, be it

Resolved, (If the House of Representatives concur), That the General Assembly wholeheartedly endorse and join in the action of the Council of the City of Philadelphia in extending an invitation to have the 1952 Olympic Games held in the City of Philadelphia with the assurance of the cooperation and hospitality of the people of the Commonwealth, and be it further

Resolved, That a copy of this resolution be sent to Mr. Charles L. Todd and Councilman George Maxman, designated by the Council of the City of Philadelphia as its representatives to secure the approval of Philadelphia as the site of the 1952 Olympic Games, directing them to present the same to the International Olympic Committee for its consideration at its meeting in Stockholm, Sweden.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

Mr. TALLMAN. Mr. President, in order that Senate bills may have an opportunity to be acted upon in the House of Representatives, I should like to call the Senate bills an final passage and third reading calendar up out of order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 861 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 861 for consideration at this, time from page 8 of the Calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 861, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-one (P. L. 21) is hereby further amended to read as follows

Section 213 Deputies The head of any administrative department except the Auditor General State Treasurer and the Secretary of the Department of Internal Affairs shall have the power with the approval of the Governor to appoint and fix the compensation of a deputy or such number of deputies as the Executive Board shall approve who shall in the absence of the head of such department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau or division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform

Whenever there shall be a vacancy in the office of the head of any department such deputy as the Governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled

With the approval of the Governor in writing the head of any department may authorize a named deputy to serve in his stead on any [departmental administrative] board or commission except the Board of Pardons of which such department head is a member ex-officio One of the Deputy Adjutants General shall possess the same qualifications in all respects as are required by law for the Adjutant General of the Department of Military Affairs

Section 2 Subsection (f) of section four hundred forty-eight of said act as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-seven (Act Number 109) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(f) The Advisory Health Board shall consist of the Secretary of Health or in his place his duly authorized deputy and seven members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession one of whom shall be a dentist and one of whom shall be a pharmacist graduates of legally constituted dental and pharmacy colleges respectively and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health or in his place his duly authorized deputy shall be chairman of the board

Four members of the board together with the Secretary of Health or in his place his duly authorized deputy shall constitute a quorum

Section 3 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker.
Berger.
Blass.
Carr.
Chapman.
Cridder.
Crowe.

Frazier,
Geltz,
Haluska.
Hare.
Heyburn.
Holland.
Homsher.
Jaspan.

Lord,
Mahany.
Mallery.
Margie.
Rahausser.
Rosenfeld.
Ruth.
Scarlett.

Tarr,
Taylor.
Tyler.
Wade.
Wagner.
Watson.
Wilson.
Wolfe.

Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell.

Kephart,
Klein,
Lane.
Leader,
Letzler.

Snowden,
Stevenson,
Stiefel,
Tallman.

Wood, L. H.,
Wood, T. N.,
Woodring,
Walker.
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 166 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 166 for consideration at this time, from page 10 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 166, as follows:

An Act to amend section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing additional temporary salary increases and the appropriation use and temporary loans therefor and validating such increases heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding immediately following clause fifteen thereof a new clause to read as follows

Section 1209.1 The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

* * * * *

16 In addition to the salaries provided for by this act the board of directors (or board of public education) of each school district is hereby authorized to grant temporary or emergency increases in salaries to members of its teaching or supervisory staff for any period and to discontinue such increases at the end of the period for which the same were granted any law to the contrary notwithstanding In order to pay the amount of salary hereby provided for the board of school directors (or board of public education) of any school district may revise its budget by increasing its appropriation or appropriations for salaries of members of the teaching and supervisory staffs of the school district for any year the funds therefore to be provided from unexpended balances in existing appropriations from unappropriated

revenue if any or from temporary loans Any temporary or emergency increases heretofore granted by any school district and the discontinuance thereof at the end of the period for which granted are hereby ratified confirmed and made valid notwithstanding the fact that the same may have been done without previous authority of law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Leizler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 259 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 259 for consideration at this time, from page 11 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 259, as follows:

An Act prescribing the fees to be received by registrars of wills in counties of the fifth sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following fees shall be received by registrars of wills in counties of the fifth sixth seventh and eighth class in which there is no salary fixed by law

Accounts Filing advertising and recording accounts of executors administrators and guardians including transmission of same to orphans' court and confirmation

First page double space	\$10.00
And for each additional page	.50
First page single space	10.00
And for each additional page	1.00
Administration For granting letters of administration in estates not exceeding \$1,000 exclusive of advertising	8.00
Over \$1,000 and not exceeding \$5,000	9.00
Over \$5,000 and not exceeding \$10,000	12.00
Over \$10,000 and not exceeding \$50,000	15.00
Over \$50,000 and not exceeding \$100,000	18.00
Over \$100,000 exclusive of State tax	20.00
Letters Testamentary For probate of wills and granting letters testamentary including real estate	

In estates not exceeding \$1,000 (single page) Double Space	8.50
Each additional page of double space typing	.50
Each additional page of single space typing	1.00
Over \$1,000 and not exceeding \$5,000	9.50
Over \$5,000 and not exceeding \$10,000	12.50
Over \$10,000 and not exceeding \$50,000	16.00
Over \$50,000 and not exceeding \$100,000	18.50
Over \$100,000 exclusive of State tax	22.50
Miscellaneous Letters of Administration For granting letters of administration de bonis non	8.00
Letters of administration cum testamento annexo de bonis non	10.00
Letters of administration pendente lite	8.00
Letters of administration durante absentia	8.00
Miscellaneous Items	
Affidavits each	.50
Codicil first page double space	1.50
Each additional page	.50
First page single space	3.00
Each additional page	1.00
Letters testamentary to nonresidents of Pennsylvania issuing letters bond and power of attorney	2.00
Plus the fee charged residents of Pennsylvania Filing and entering bond where additional security is required	2.00
Filing certified or exemplified copies of letters of administration of letters testamentary and recording the same	4.00
Plus where there is a will each page other than the first double space	1.00
Each page other than the first single space	2.00
Filing caveat bond	.50
Inheritance tax statement such as statement of Debts and Deductions Statement of Assets County Personal Property Tax Computation of Inheritance tax report, etc	1.00
Inventory and Appraisalment Filing and Recording 75 Items or less	2.00
For each additional five words	.01
Filing affidavit in lieu of inventory	2.00
Renunciation	.50
Short form of certificate	.50
Filing and entering caveat	1.00
Issuing certified copies of instruments double space with certificates attached	1.50
Each page other than the first	.50
Commissions to take testimony	5.00
Subpoena	.50
Fees for similar services not herein specifically scheduled shall be charged on the same basis as those scheduled	

Section 2 Section seven of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" and all other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.			
Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,

Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 260 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 260 for consideration at this time, from page 11 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 260, as follows:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following fees shall be received by the clerks of orphans' courts in counties of the fifth sixth seventh and eighth class where there is no salary fixed by law

Accounts Filing advertising recording and setting up printed copies of advertisement of accounts of trustees and guardians including certificate of the clerk

First page double space typewriting \$8.50

Each additional page double space typewriting 1.00

First page single space typewriting 9.50

Each additional page single space typewriting 2.00

Release attached to account recording either single or double space (1 page) 1.50

Each additional page either single or double space 1.00

Adjudications (omitting opinion and discussion) Recording with recording certificate and filing

First page of distribution either single or double space 3.00

Each additional page either single or double space 1.00

Copy of adjudication per page double space typewriting .50

Adoption Petition for hearings recording final decree including certified copy of final decree 7.50

Affidavit .50

Application for Adoption Admission and Certificate 1.00

Allowance for minor etc petition and order 2.50

Appeal to Supreme or Superior Court certificate of record and bond 5.00

Attachment petition and writ 3.50

Certificate of guardian or trustee appointment per name .50

Citation including proof of service 2.50

Commissions on money paid into court \$500.00 and under 2%

Over \$500.00 1%

Commitment 1.00

Issuing decree copy of per page of ordinary double space typewriting One (1) certificate not included .50

Discharge of trustee and appointment of substitute trustee 3.50

Election to take under or against will filing 1.50

Issuing exemplification of record per page of double space typewriting .50

Extinguishing of charge on land including certified copy of final decree 9.50

Fieri facias 1.00

Guardian Filing petition and appointment Estate less than \$500.00 1.00

Estate over \$500.00 2.00

Filing and approval of bond Estate less than \$500.00 .50

Estate over \$500.00 1.00

Filing triennial account 1.50

Filing advertising auditing triennial account and adjudication Same fees as for similar services in other accounts and \$2.00 additional for filing and indexing petition

Injunction filing petition for and bond 1.00

Injunction order in nature of 1.00

Marriage license (including State Tax) 3.00

Each consent .50

Order to pay filing petition for order and order 2.50

Partition proceedings filing petition making out writs and recording one purpart 15.00

Each additional purpart 2.00

Real estate sale or mortgage For distribution or payment of debts

All proceedings one purpart 6.50

Each additional purpart 1.00

Under price act One purpart 7.50

Each additional purpart 1.50

Specific performance of contract for sale of real estate

Petition and order 7.50

Seal of court .50

Subpoena .25

Surviving spouse \$5,000.00 appraisalment Filing petition copying and appointment of appraisers

personality 2.00

Filing petition copying and appointment of appraisers

realty 3.00

Filing proof of publication and confirmation of appraisalment personality 3.50

Filing proof of publication and confirmation of appraisalment realty 4.50

Widow's exemption or children's exemption Claim appraisalment proof of publication and confirmation

personal estate 2.00

Claim appraisalment proof of publication and confirmation

real estate (1 purpart) 3.00

Each additional purpart 1.00

Petition for appointment of appraisers 2.00

Filing appraisalment proof of publication and confirmation

(where no administration or probate) Personal estate 2.00

Real estate (1 purpart) 3.00

Real estate (each additional purpart) 1.00

Fees for similiar services not specifically scheduled shall be charged on the same basis as those herein scheduled

Section 2 Section six of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" and its amendments and supplements and any and all other acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher	Ruth,	Wilson.

Crowe, Dent, DiSilvestro, Doehla, Donlan, Farrell,	Jaspan, Kephart, Klein, Lane, Leader, Letzler,	Scarlett, Snowden, Stevenson, Stiefel, Tallman,	Wolfe, Wood, L. H., Wood, T. N., Woodring, Walker, Presiding Officer
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NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 800 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 800 for consideration at this time, from page 19 of the calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 800, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 102 Each school district having a population of [five hundred thousand (500,000)] one million (1,000,000) or more shall be a school district of the first class

Section 2 Article I of said act is hereby amended by inserting between sections one hundred two and one hundred three a new section to read as follows

Section 102.1 Each school district having a population of five hundred thousand (500,000) or more but of less than one million (1,000,000) shall be a school district of the first class A

Section 3 Section one hundred twenty-seven of said act as last amended by the act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 546) is hereby further amended to read as follows

Section 127 Whenever hereafter the territory comprising a school district of the second third or fourth class is annexed to a city comprising a school district of the first class or of the first class A the annexed school district shall immediately become merged in and become a part of said school district of the first class or of the first class A

Section 4 Section two hundred two of said act is hereby amended to read as follows

Section 202 In each school district of the first class or of the first class A the judges of the courts of common pleas of the county in which such school district is situated shall in October one thousand nine hundred and eleven (1911) appoint a board of fifteen (15) school directors as follows

Five for two years five for four years and five for six years and in October of every second year thereafter shall appoint five members for six years Their term of office shall begin on the second Monday of November next following their appointment

Section 5 Section two hundred fourteen of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 277) is hereby further amended to read as follows

Section 214 In case any vacancy shall occur in any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class or of the first class A be filled for the unexpired term by the court of common pleas of the county in which such school district is situated and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the court of common pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term And provided further That when any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war a temporary vacancy shall be declared which shall be filled by the remaining members of the board or the court as the case may be until the return of such member of the board from the military or naval service or until the expiration of the term for which he shall have been elected whichever shall be the shorter period

Section 6 Section two hundred fifteen of said act is hereby amended to read as follows

Section 215 In case vacancies should occur whereby the offices of a majority of the members of any board of school directors other than the board of school directors of a school district of the first class or of the first class A should become vacant the remaining members shall fill such vacancies one at a time giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the then qualified members of the board in making further appointments until a majority of the board has been secured when the said majority shall fill the remaining vacancies at a meeting attended by the majority of said board such appointees to receive a majority of the votes of the members present at any such meeting The persons selected to fill such vacancies shall hold their offices if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election eligible persons shall be elected to fill the unexpired terms

Section 7 Section two hundred sixteen of said act as last amended by section one of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1038) is hereby further amended to read as follows

Section 216 If at any time vacancies should exist or occur in the membership of all the members of any board of school directors in any school district of this Commonwealth other than a school district of the first class or of the first class A the court of common pleas of the county in which such district or the largest part in area thereof is located shall appoint a board of properly qualified persons who shall serve until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election a board of school directors for such district shall be

elected in the same manner as the school directors of the districts of the same class were first elected after this act went into effect but such school directors shall be so elected that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding elections in other school districts of the same class Provided That whenever a vacancy of the entire membership of a board of school directors in any school district of the fourth class occurs the county superintendent of schools may enter and take full charge of and at the expense of the district maintain the schools thereof in accordance with the provisions of the school laws of the Commonwealth under the direction of the Superintendent of Public Instruction and may continue in charge thereof until a board of school directors has been appointed and has qualified

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. RAHAUSER. Mr. President, this bill I am going to vote in favor of only with the greatest reluctance.

The insistence of the gentlemen from Philadelphia on the passage of a bill that is very incomplete in its wording and from various analyses is unconstitutional, and from other analyses is vicious in form, made us decide that we could do no other than vote for this bill, if such a bill was going to be foisted upon the people of the city of Pittsburgh.

With the greatest reluctance we vote for this bill but we are placed in the position where we can do nothing else. I am going to vote for it and ask my colleagues to do likewise.

Mr. HOLLAND. Mr. President, I am going to take the opposite position from that taken by my colleague from Allegheny county on Senate Bill No. 800.

Senate Bill No. 800, which provides for the separation of the two first class districts of Pittsburgh and Philadelphia, but leaving Philadelphia a school district of first class and Pittsburgh a school district of first class "A", is an objectionable bill.

For thirty-five years, the two districts of Pittsburgh and Philadelphia have been together. They have faced and solved common school problems, and before the Legislature they have been considered as a unit. The plan that has been operating for thirty-five years has proved satisfactory to both districts. Neither of the districts want this separation. Those who do want to separate the two districts take this position because of political considerations rather than any consideration of educational efficiency.

We all know that the 2,543 school districts of Pennsylvania, which are now divided into four classes of school districts, cause a cumbersome inefficient system of school administration for this state. To increase the number of classifications of school districts would only serve to add to the confusion that already exists.

Upon reading this bill, I find that the only sections of the school code which are amended are those which deal with creating and providing for a board of public education. If this bill were enacted into law, the school district of Pittsburgh would find itself in the position of having a board of education with no authority whatever. Under terms of the present school code, school districts of the first class levy school taxes under Sections 523

and 524 of the school code. This proposed bill, which provides nothing beyond the creating of a board of school directors, would leave Pittsburgh without even the authority to levy a real estate tax.

Therefore, gentlemen of the Senate, in the interest of good education and sound administration for the two school districts of Pittsburgh and Philadelphia, the logical thing to do is to keep the two districts within the same classification. The only purpose which separating the districts could serve is that of political expediency. Therefore, I ask the members of the Senate to reject this bill.

Mr. GELTZ. Mr. President, I want to take just a minute because the more speeches that are made in connection with this bill the more it will be delayed in getting over to the House, where action is necessary.

But in connection with this bill, Mr. President, I do want to say I think my colleagues on this side of the Senate feel the same way as my colleagues on the left side of the Senate, that is, none of us want to do this, that is, pass Senate Bill No. 800 and separate the school districts, except that we are doing it now because it has become anecessity, we feel, in order to save this school program and in order that the school district will be able to get the necessary revenue to carry on their program.

We feel we have got to send this bill over to the House, where it is to be amended to take care of objections raised by Senator Holland. The reason it was not amended here was for the purpose of saving time, because we have so few legislative days remaining, and they want to get this bill over there in the House with the other bills, so it can all be worked out as one coordinated program.

Mr. FRAZIER. Mr. President, I am a little concerned about this criticism, because if a person will look at a history of the Senate he will find this bill was introduced back in May, long before our program was introduced, our tax program for Philadelphia. Senate Bill 800 is for the purpose of divorcing Philadelphia and Pittsburgh as school districts. It was put in without any solicitation from Philadelphia, for the purpose of enabling the Pittsburgh school district to raise funds as they saw fit and proper and also so that Philadelphia could raise funds as they saw fit and proper. There is no political contingency or political expediency involved in this proposed legislation.

Philadelphia in the first instance had what might be called a mercantile tax and an added four mill personal property tax. After very mature consideration we finally reached the conclusion that the four mill additional personal property tax might raise no additional revenue but take from the city of Philadelphia \$1,500,000 or \$2,000,000 to give to the school district, which meant that we had to find other money in the city of Philadelphia. Therefore we broadened the base of the mercantile tax and called it a business tax, giving added revenue, to save added taxation in Philadelphia, and that is the crux of the criticism. Now the criticism is being cured by taking this step and the action which was proposed by Pittsburgh before Philadelphia ever thought of it.

Mr. BARR. Mr. President, I want to quote a letter I received from the Superintendent of Public Schools of

Pittsburgh and signed also by the Secretary and Business Manager, as follows:

"With reference to the present legislative situation as it affects the School District of Pittsburgh, it became apparent during the last week that a conference with Philadelphia school representatives was necessary to come to an agreement on a program of new taxation for school financial support. Political leaders in Philadelphia over the week-end of May 24 to May 26 repudiated the one and one-half mill increase in real estate tax and the per capita tax which had been agreed upon by Pittsburgh and Philadelphia school district representatives in conference with Governor Duff on Wednesday, May 21. A mercantile tax and a personal property tax were proposed by the Philadelphia County Republican Chairman as a broadened tax base which would meet the Philadelphia schools' financial problem. Along with these two forms of tax, the Philadelphia leader's plan involved separation of the two first class districts.

"Upon learning of the shift in Philadelphia's position, members of the Pittsburgh Board of Public Education were consulted and the Superintendent of Schools and the Secretary and Business Manager were instructed to work with Philadelphia representatives against separating the two districts and for a tax program mutually agreeable to both. Subsequently during the week of May 26 to May 29 representatives of the two districts conferred in Harrisburg and the following plan was agreed upon:

"1. Opposition to Senate Bill 800, introduced by Senator James A. Geltz of Allegheny County, which would separate the two school districts by classifying Pittsburgh as a school district of Class 1A.

"2. Support of a mercantile tax for both districts providing.

"a. A levy of \$2 license on each retail establishment plus a levy of 1 mill on the establishment's gross receipts. This tax is estimated to yield approximately \$400,000 in Pittsburgh.

"b. A levy of a \$3 license on each wholesale establishment plus a levy of one-half mill on the establishment's gross receipts. This tax is estimated to yield approximately \$400,000 in Pittsburgh.

"3. Support of a personal property tax for both districts of from 2 to 4 mills. The state already levies a 4 mill tax on personal property for county purposes. This would mean an additional tax and the relocation of the site of declaration of personal property would have to be considered in estimating the yield. The best figures obtainable indicate an estimated yield of \$900,000 on the basis of the levy of a maximum of 4 mills.

"4. Support of a per capita tax for the School District of Pittsburgh only. Senate Bill 742, introduced by Senator James A. Geltz, would provide a levy of from \$1 to \$5 on each resident over 21 years of age. At seventy per cent collection of the maximum \$5 levy, \$1,500,000 is the estimated yield for Pittsburgh. In drafting the amendments to exclude Philadelphia from the provisions of Senate Bill 742, the constitutionality of making it applicable to Pittsburgh alone must be considered. A savings clause in the amendments is planned to provide that, if excluding Philadelphia is held to be unconstitutional, both districts would then be permitted to levy the tax.

"The minimum subsidies proposed by the state administration of \$700 per teaching unit for 1947-48 and of \$800

for 1948-49 are totally inadequate and completely inequitable. Therefore, we should continue to press for a higher minimum subsidy. However, the difficulty of receiving any appreciable increase in state subsidies is apparent. Since the Pittsburgh Public Schools need \$5,000,000 additional revenue to operate the present school program for the 1947-49 biennium, it is absolutely necessary, therefore, to support the tax proposals outlined above in order to insure adequate financial resources.

"We earnestly request, therefore, that members of the General Assembly and civic groups will lend wholehearted support to the proposals outlined above.

Sincerely yours,

Earl A. Dimmick
Superintendent of Schools

H. H. Rothrock
Secretary and Business Manager"

Therefore, Mr. President, we agreed upon that. Senator Geltz agreed upon it with the members of the Pittsburgh School Board and the members of the Philadelphia School Board, but late here on Tuesday evening, I think it was, a set of amendments were offered on this floor which ripped out the mercantile tax and put in a gross receipts tax, which the people of Pittsburgh do not want, and consequently we were forced to call a meeting of the Committee on Education and bring out Senate Bill 800, which Senator Geltz at no time was going to press until this situation was brought about by Philadelphia running out on their agreement.

Mr. FRAZIER. Mr. President, I want to correct the impression about anybody running out.

Prior to the introduction of 827, having to do with the mercantile tax, which was introduced by me on June 2, I had the privilege and honor of conferring with the Governor and we agreed upon a program, which was that Philadelphia and Pittsburgh should be divorced insofar as the school districts were concerned, and that Philadelphia's program would be Philadelphia's problem. I left Harrisburg with that understanding and came back the next Monday and found that the school districts of Philadelphia and Pittsburgh had run out on their agreement—I did not run out, they ran out, and they dissolved the divorce and kept the wedding in effect. I went to the Governor and said I would be no party to such an arrangement without the Governor sanctioning it. He said what the school districts wanted was agreeable to him.

The city of Philadelphia has to take care of itself, as well as the school district. We are sincere in our feeling that the Board of Education shall have this money but they shall not have it at the expense of us and the school districts of Pittsburgh and Philadelphia. But this program has to be carried out, and I did not run out on it.

Mr. RAHAUSER. I just want to say this, that I cited for the record two decisions, both of them declaring similar acts, as proposed by the gentleman from Philadelphia unconstitutional, both as to the Federal Constitution and as to the State Constitution, as violating both the clauses prohibiting taxation of imposts and violating the clause on undue restraint of interstate commerce. Neither of those clauses have been taken into consideration.

We are therefore forced to vote for Senate Bill 800 much against our will."

And the question recurring,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Magle,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Homsher,	Rosenfeld,	Wilson,
Crider,	Jaspan,	Ruth,	Wolfe,
Crowe,	Kephart,	Scarlett,	Wood, L. H.,
Dent,	Klein,	Snowden,	Wood, T. N.,
DiSilvestro,	Lane,	Stevenson,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer

NAYS—3

Doehla,	Holland,	Stiefel,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 859 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 859 for consideration at this time, from page 24 of the Calendar.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 859, as follows:

An Act to further amend section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties

for violations of the provisions of this act and repealing certain acts" as last amended by the act approved the first day of December one thousand nine hundred thirty-eight (P. L. 107) is hereby further amended to read as follows

Section 4 Ways of Egress From every floor of buildings enumerated in section two of this act there shall be proper and sufficient ways of egress and means of escape from fire and panic Provided That in all buildings hereafter erected or adapted for any of the purposes enumerated in section two of this act there shall be not less than two (2) ways of egress as remote from each other as possible except that the requirement for two means of egress shall not be applicable to buildings two stories or less in height with an occupancy of not more than three persons above the ground floor when it is determined by the department that adequate means of egress are available to all occupants and except that there may be one means of egress of fire-resistive construction in the case of tenement houses apartment houses and apartment hotels not over three stories in height with not more than a gross area of three thousand (3000) square feet on each floor between exterior and fire walls comprising a maximum of six (6) apartments under regulations which may be promulgated by the Department of Labor and Industry

In buildings of more than one story all means of egress shall be located inside the building at least one of which shall be an enclosed stair tower of fire-resistive construction and in addition thereto there may be used as a fire escape a mechanically operated device suitable for use as a means of escaping from windows and which shall consist of a steel cable lifebelt and mechanical brake which is automatically put into action by the presence of weight at the end of the cable Where the department finds after proper investigation that in buildings erected prior to the passage of this act the internal ways of egress herein provided for cannot be installed it may direct that such means of egress be provided as will in its judgment to better advantage carry out the intent and purpose of this section The Department of Labor and Industry may order fire walls or smoke barriers or both to be built in buildings already erected or which may hereafter be erected where in its judgment the erection of such fire walls or smoke barriers is necessary to the reasonable safe protection of the occupants The ways of egress shall be free from obstruction lighted and ready for instant use at all times Fires escapes now in use or hereafter erected shall be painted at least once a year and be kept in safe condition and up to such standard requirements as may be specified by the Department of Labor and Industry

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Frazier,	Letzler,	Tarr,
Berger,	Haluska,	Lord,	Taylor,
Blass,	Hare,	Mahany,	Tyler,
Carr,	Heyburn,	Mallery,	Wade,
Crider,	Holland,	Rahausen,	Wagner,
Crowe,	Homsher,	Rosenfeld,	Watson,
Dent,	Jaspan,	Ruth,	Wilson,
DiSilvestro,	Kephart,	Scarlett,	Wood, L. H.,
Doehla,	Klein,	Stevenson,	Wood, T. N.,
Donlan,	Lane,	Stiefel,	Woodring,
Farrell,	Leader,	Tallman,	Walker,
			Presiding Officer

NAYS—4

Chapman,	Geltz,	Snowden,	Wolfe,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 863 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 863 for consideration at this time, from page 24 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 863, as follows:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital to sell and convey a certain tract of land in the township of Conewango County of Warren Pennsylvania but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following herein described tract of land used in connection with the said Warren State Hospital

All that certain tract of land situate in the township of Conewango County of Warren and Commonwealth of Pennsylvania more particularly described as follows to wit

Beginning at a point on the western side of the old Warren-Jamestown Road which point is the southern boundary line of lands now or late of James A Blomquist thence in a westerly direction three hundred fifty-three and one tenth (353.1) feet to the Conewango Creek thence in a southeasterly direction three hundred twenty (320) feet more or less to the western side of the aforementioned Warren-Jamestown Road thence northwardly along the western side of said road one hundred forty-five (145) feet more or less to a point and thence continuing along the western side of said road sixty-five (65) feet to a point which point is the southern boundary line of the aforementioned property of James A Blomquist the place of beginning

Excepting and reserving however therefrom an easement of right-of-way for the continued and uninterrupted use of a sewer disposal line existing and passing through said tract of land and a right of ingress and egress for the purpose of maintaining repairing and reconstructing the same

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,

Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Rahausen,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 867 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 867 for consideration at this time, on page 25 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 867, as follows:

An Act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be paid over as hereinafter provided to the organization or association constituting and having in charge the distribution of police and firemen's pension funds in every city of the second class A three per centum (3%) of all city taxes collected by the city other than taxes levied to pay interest on or to extinguish the debt of the city or any part thereof to be divided equally between the police and firemen's association or organization

Section 2 The organization herein mentioned shall consist only of such as are by city ordinance designated as the official and authorized organization or association to hold receive and distribute the funds or moneys for the purpose of pensioning the police or firemen of said cities

Section 3 It shall be the duty of the city treasurer collecting said taxes to pay over to the proper officials of the said organization or association constituting the police or firemen's pension funds annually the amount designed in this act taking his or their receipt for same which receipt shall constitute a voucher and quittance for the amount so paid

Section 4 On or before March first of every year it shall be the duty of the officers of said organization or association to render a full and complete account to city council of all transactions of the past year showing all receipts and disbursements A copy of such account shall be filed with the city controller who shall audit the same and render to city council a detailed report of his examination The city treasurer shall distribute no funds as above provided until such report has been filed and approved by city council by resolution

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

SENATE BILL No. 868 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 868 for consideration at this time, on page 25 of the Calendar.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 868, as follows:

An Act providing for joint action by the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana in the construction operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of Indiana authorizing the Governor for these purposes to enter into an agreement with the States in question creating an Inter-State Turnpike Commission and defining its powers and duties including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor of the Commonwealth is hereby authorized and empowered to enter into a compact or agreement on behalf of the Commonwealth of Pennsylvania with the States of Ohio West Virginia and Indiana in substantially the following form

Agreement Between

The Commonwealth of Pennsylvania
and

The States of Ohio West Virginia and Indiana
Creating the Inter-State Turnpike Commission as a Body
Corporate and Politic and Defining its Powers
and Duties

The Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana do each hereby solemnly covenant and agree each with the others as follows

Article I

There is hereby created a body corporate and politic to be known as the Inter-State Turnpike Commission (hereinafter in this agreement called the "commission") which shall consist of three commissioners from each of the States which are parties to this agreement to be appointed by their respective Governors The persons in charge of the public highways of the respective States shall be ex officio members of the commission

No action of the commission shall be binding unless a majority of the members of the commission from Pennsylvania and a majority of the members of the commission from each of the States of Ohio West Virginia and Indiana shall vote in favor thereof

The commission shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana for the preparation of plans and specifications the construction operation maintenance and administration of an inter-state modern dual highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of the State of Indiana In effectuating such purpose the commission shall be deemed to be exercising an essential governmental function and the commission shall procure from the Federal Government such consents as may be necessary if any to enable any projects within its powers to be carried out

Article II

For the effectuation of its authorized purposes the commission is hereby granted the following powers

- (a) To have perpetual succession
- (b) To sue and be sued
- (c) To adopt and use an official seal
- (d) To elect a chairman vice-chairman secretary treasurer and chief engineer The secretary treasurer and engineer need not be members of the commission
- (e) To adopt suitable by-laws for the management of its affairs
- (f) To appoint such other officers agents and employees as it may require for the performance of its duties
- (g) To determine the qualifications and duties of its appointees and to fix their compensation
- (h) To enter into contracts
- (i) To acquire own hire use operate and dispose of personal property
- (j) To acquire own use lease operate and dispose of real property and interest in real property and to make improvements thereon
- (k) To grant the use of by franchise lease and otherwise and to make and collect charges for the use of any property or facility owned or controlled by it
- (l) To borrow money upon its bonds or other obligations either with or without security
- (m) To exercise the power of eminent domain
- (n) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate maintain operate or control
- (o) To exercise all other powers not inconsistent with the Constitutions of the Commonwealth of Pennsylvania the States of Ohio West Virginia and Indiana or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments for benefits and generally to exercise in connection with its property and affairs and in connection with property under its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

Article III

In the exercise of eminent domain to effectuate the purposes for which the commission is created the taking of real property in Pennsylvania shall be in the manner provided in the State Highway Law approved the first day of June one thousand nine hundred forty-five (P. L. 1242) and the taking of real property in Ohio West Virginia or Indiana shall be in the manner provided by the act of each of the respective States creating the commission herein provided for

The commission may by resolution determine to acquire such property by a fee simple absolute or a lesser interest and the said determination shall not be affected by the fact that such property has theretofore been taken

for or is then devoted to a public use but the public use in the hands or under the control of the commission shall be deemed superior to the public use in the hands or under the control of any other person association or corporation

The power of the commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania or the States of Ohio West Virginia and Indiana shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The commission and its duly authorized agents and employees may enter upon any land in the Commonwealth or the States of Ohio West Virginia and Indiana for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes

However anything to the contrary contained in this compact notwithstanding no property now or hereafter vested in or held by any county city borough village township or other municipality shall be taken by the commission without the consent of such municipality unless expressly authorized so to do by the Commonwealth or other State in which such municipality is located All counties cities boroughs villages townships and other municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana notwithstanding any contrary provision of law are hereby authorized and empowered to grant and convey to the commission upon its request but not otherwise upon reasonable terms and conditions any real property which may be necessary or convenient to the effectuation of its authorized purposes including real property already devoted to public use

The Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana hereby consent to the use and occupation by the commission of any real property of the said States or of any of them which may be or become necessary or convenient to the effectuation of the authorized purposes of the commission including lands lying under water and lands already devoted to public use

The term "real property" as used in this compact includes lands structures franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple and absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporated hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damages to real estate

Article IV

Notwithstanding any provision of this agreement the commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania or of the States of Ohio West Virginia or Indiana or of any county city borough village township and other municipality thereof or to create any debt against said Commonwealth or States or any such municipality

Article V

The commission is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise liens or otherwise the establishment levying and collection of) such tolls rates rents and other charges in connection with the inter-state turnpike which it may hereafter construct and operate as it may deem necessary proper desirable and reasonable which tolls rates rents and other charges shall be at least sufficient to meet interest and sinking fund charges on bonds and obligations issued by the commission the maintenance of such turnpike and the administrative expenses of the commission properly chargeable to such turnpike The commission is hereby

authorized and empowered to pledge such tolls rates rents and other revenues or any part thereof as security for the repayment with interest of any moneys borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

Article VI

The Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana hereby covenant and agree each with the others and with holders of any bonds or other obligations of the commission for which tolls rents rates or other revenues have been pledged that so long as any of said bonds or obligations remain outstanding and unpaid (unless adequate provision is otherwise made by law for the protection of those advancing moneys upon such bonds or obligations) the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana will not diminish or impair the power of the commission to own operate and control said properties and facilities or to establish levy and collect tolls rents rates and other charges in connection with such properties and facilities

The Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana hereby covenant and agree each with the others and with the holders of any bonds or obligations of the commission for which tolls rents rates or other revenues shall have been pledged that they will not authorize or permit the construction operation and maintenance of any additional inter-state turnpike within the area to be covered by the said turnpike for the transportation of passengers by vehicles by any other person or body than the commission

Article VII

The bonds or obligations which may be issued by the commission for any of its authorized purposes and as security for which tolls rents rates and other revenues shall have been pledged are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana and all banks bankers trust companies savings banks savings and loan associations investment companies and other persons carrying on a banking business or insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania or of the States of Ohio West Virginia and Indiana may properly and legally invest funds including capital belonging to them or within their control and said bonds or other obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana for any purpose for which the deposit of bonds or other obligations either of the Commonwealth or of such States is now or may hereafter be authorized

Article VIII

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of Ohio West Virginia and Indiana and for the increase of their commerce and prosperity and since the commission will be performing essential governmental functions in effectuating said purposes the commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for purposes authorized by this agreement and the bonds or obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana

Article IX

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governors and Legislatures as it may deem advisable

Article X

Whenever the bonds issued for the financing of the inter-state turnpike and the interest thereon shall have been paid or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose the commission shall cease to charge tolls for the use of the same and thereafter such turnpike shall be free

Article XI

Upon its signature on behalf of the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana this compact or agreement shall become binding and shall have the force and effect of a statute of the Commonwealth of Pennsylvania and the commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under this compact or agreement and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 2 This act shall become effective immediately upon its signing by the Governor and the passage by the States of Ohio West Virginia and Indiana of a substantially similar act embodying the agreement between the four States herein set forth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahauser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 869 CALLED UP

Mr. TALLMAN. Mr. President, I call up Senate Bill No. 869 for consideration at this time, on page 25 of the Calendar.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 869, as follows:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and business thereof and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section where the context clearly indicates a different meaning

(1) "Persons" shall mean any individual partnership limited partnership association or corporation

(2) "Wholesale dealer" or "Wholesale vendor" shall mean any person who sells to dealers in or vendors of goods wares and merchandise and to no other persons

(3) "Retail dealer" or "Retail vendor" shall mean any person who is a dealer in or vendor of goods fares and merchandise who is not a wholesale dealer or vendor

(4) "Dealer in or vendor of goods wares and merchandise" shall not include any mechanic who keeps a store or warehouse at his place of manufactory or workshop in which he sells only his own manufactures any person vending or disposing of articles of his own growth produce or manufacture or any hawker or peddler licensed under any law of this Commonwealth

(5) "Broker" shall mean any stock broker bill broker note broker exchange broker merchandise broker factor commission merchant real estate broker and agent and pawnbroker

(6) "Place of amusement" shall mean any place indoors or outdoors where the general public or a limited or selected number thereof may upon payment of an established price attend or engage in any amusement entertainment exhibition contest recreation including among other places theaters opera houses moving picture houses amusement parks stadia arenas baseball parks skating rinks circus or carnival tents or grounds fair grounds bowling alleys billiard or pool rooms shuffle board rooms nine or ten pin alleys riding academies golf courses bathing and swimming places dance halls tennis courts archery rifle or shotgun ranges and other like places The term does not include any single or occasional exhibition amusement performance or contest given by any church or charitable institution association or society or public or private school

(7) "License year" shall mean the twelve month period corresponding to the fiscal year of the school district levying the tax

(8) "Gross Volume of Business" shall include both cash and credit transactions

Section 2 Authority to Levy and Collect Tax Use of Tax For the year one thousand nine hundred forty-eight and annually thereafter every school district of the first class shall issue mercantile licenses and levy and collect an annual mercantile license tax in the manner and at the rates hereinafter set forth Such tax shall be in addition to any other tax every such school district is empowered to levy and collect under any existing law The license fees taxes and penalties collected under the provisions of this act shall be used by every such school district for general public school purposes

Section 3 License Fees Beginning in the year one thousand nine hundred forty-eight and annually thereafter every person desiring to continue to engage in or hereafter to begin to engage in the business of wholesale or retail vendor of or dealer in goods wares and merchandise broker conducting a restaurant or other eating place or place of amusement shall on or before the first day of January of each license year or prior to commencing business in any such license year procure a mercantile license from the Receiver of School Taxes or School Treas-

urer who shall issue the same upon the payment of a fee of two dollars (\$2) for each license year. Such license shall be conspicuously posted at the place of business of every such person at all times.

Section 4 Imposition and Rate of Tax. Every person engaging in any of the following occupations or businesses in any school district of the first class shall pay an annual mercantile license tax at the rate set forth:

(1) Wholesale vendors or dealers in goods wares and merchandise and brokers at the rate of one-half ($\frac{1}{2}$) mill on each dollar of the volume of the annual gross business transacted by him.

(2) Retail vendors or dealers in goods wares and merchandise all persons engaged in conducting restaurants or other eating places and all persons conducting places of amusement at the rate of one (1) mill on each dollar of the volume of the annual gross business transacted by him.

Section 5 Computation of Annual Gross Volume of Business.

(a) Every person subject to the payment of the tax hereby imposed who has commenced his business at least one (1) full year prior to the beginning of any license year shall compute his annual gross volume of business upon the actual gross amount of business transacted by him during the preceding calendar year.

(b) Every person subject to the payment of the tax hereby imposed who has commenced his business less than one (1) full year prior to the license year one thousand nine hundred forty-eight for the license year one thousand nine hundred forty-eight or who has commenced his business subsequent to the beginning of any license year for such license year and the succeeding license year shall compute his annual gross volume of business upon the actual gross amount of business transacted by him during the first month of his engaging in such business multiplied by the number of months of the current license year remaining or multiplied by twelve (12) for the first full license year he engages in business as the case may be.

(c) Every person subject to the payment of the tax hereby imposed who engages in a business temporary seasonal or itinerant by its nature shall compute his annual gross volume of business upon the actual gross amount of business transacted by him during such license year.

Section 6 Returns. (a) Every return shall be made upon a form furnished by the Receiver of School Taxes or School Treasurer. Every person making a return shall certify the correctness thereof by affidavit.

(b) Every person subject to the tax imposed by this act who has commenced his business at least one (1) full year prior to the beginning of any license year shall on or before the first day of March one thousand nine hundred forty-eight and annually thereafter file with the Receiver of School Taxes or School Treasurer a return setting forth his name his business and business address and such other information as may be necessary in arriving at the actual gross amount of business transacted by him during the preceding calendar year.

(c) Every person subject to the tax imposed by this act who has commenced his business less than one (1) full year prior to the beginning of the license year one thousand nine hundred forty-eight shall on or before the first day of March one thousand nine hundred forty-eight file with the Receiver of School Taxes or School Treasurer a return setting forth his name his business business address and such other information as may be necessary in arriving at the actual gross amount of business transacted by him during his first month of business.

(d) Every person subject to the tax imposed by this act who commences business subsequent to the beginning of any license year shall within forty (40) days from the date of commencing such business and on or before the first day of March of the succeeding license year file a return with the Receiver of Taxes or School Treasurer setting forth his name his business and business address and such information as may be necessary in arriving at

the actual gross amount of business transacted by him during his first month of business.

(e) Every person subject to the payment of the tax imposed by this act who engages in a business temporary seasonal or itinerant by its nature shall on the day he completes such business file a return setting forth his name his business and business address and the actual gross amount of business transacted by him during such license year.

Section 7 Assessment. (a) Within fifteen (15) days from his receipt of the return of any person commencing business after the beginning of any license year immediately upon the receipt of the return of any person engaging in a business temporary seasonal or itinerant in nature and in all other cases on or before the first day of May of each license year the Receiver of Taxes or School Treasurer shall ascertain from the return or such other evidence as he may obtain the amount of the tax due by every person subject to the tax and shall assess the same.

(b) When any person required to file a return fails to do so or when the Receiver of School Taxes or School Treasurer does not approve any return made he shall have power and it shall be his duty to require such person to appear before him in person with his books and accounts for examination. For such purposes he shall have power to issue subpoenas and attachments to be served by any constable or sheriff and to compel the attendance of the owner or any clerk bookkeeper or officer connected with said business to produce such books and papers as he may deem expedient to secure the information necessary to ascertain and fix the amount of the tax due.

(c) When any person persists in failing to file a return the Receiver of School Taxes or School Treasurer may assess the amount of tax due upon such evidence as he may have.

(d) Upon ascertaining the amount of the tax due in each case he shall deliver to every such person a written notice specifying the amount of the tax due and the time and place when an appeal therefrom may be had.

Section 8 Appeals. (a) Appeals shall be heard by a board of appeals which shall consist of three (3) members one (1) of whom shall be the School Treasurer one (1) the School Controller and the third member to be appointed by the Board of Public Education. Such board shall serve without compensation.

(b) Any person subject to the provisions of this act who is dissatisfied with the amount of the tax assessed by the Receiver of Taxes or the School Treasurer shall have the right of appeal to the board of appeals within ten (10) days of such assessment who shall hear him on the day so fixed for the appeal. If the person is dissatisfied with the decision of the board of appeals he shall have the right of appeal to the court of common pleas of the county which appeal the court is required to hear and determine within twenty (20) days after such appeal shall be taken or at the next sitting thereof. If any person fails to attend any appeal before the board of appeals or the court he shall not thereafter be permitted in a suit for the recovery of said mercantile license tax to set up as a defense either that he is not subject to such tax or any other ground of defense which might have been heard and determined either by said board of appeals or the court of common pleas on appeal as aforesaid.

Section 9 Certified List. On or before the first day of May one thousand nine hundred forty-eight and annually thereafter it shall be the duty of the Receiver of School Taxes or School Treasurer to prepare a list of all persons subject to the mercantile tax hereby imposed giving the name and business address of every person subject to the payment of the tax and the amount of the tax assessed against him. Such list shall be made for the use of the board of appeals in hearing appeals and for the collection of such taxes by the Receiver of School Taxes or School Treasurer. Such list shall be corrected and kept current according to the decisions made on appeals and according to such other information available to the Receiver of School Taxes or School Treasurer.

Section 10 Payment of Tax. Persons subject to the

payment of the tax hereby imposed engaged in a business temporary seasonal or itinerant in nature shall pay such tax to the Receiver of School Taxes or the School Treasurer as soon as it is finally determined. Every other person subject to the payment of the tax hereby imposed shall on or before the first day of July of each license year pay the tax assessed against him to the Receiver of School Taxes or the School Treasurer.

Section 11 Suit on Collection Penalty (a) It shall be the duty of the Receiver of School Taxes or School Treasurer to sue for the recovery of all taxes due him not paid on or before the first day of July in each year. Such suits shall be begun on or before the fifteenth day of November of every license year.

(b) If for any reason the tax is not paid on or before the first of July in each year a penalty of six per centum (6%) interest per annum on the amount of said tax shall be added and collected by the Receiver of School Taxes or School Treasurer. Where suit is brought for the recovery of any such license tax the person shall be liable for and it shall be the duty of the Receiver of School Taxes or School Treasurer to collect in addition to the license tax assessed against such person the cost of such collection and six per centum (6%) interest per annum on the amount of the tax from the date such tax is due.

Section 12 Penalties (a) Whoever being required under the provisions of this act to procure a mercantile license and fails to do so shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than two (2) years or both.

(b) Whoever being required under the provisions of this act to keep his license posted on the premises of his business and fails to do so shall upon summary conviction thereof pay a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) and costs of prosecution or in default of payment thereof shall undergo imprisonment for not more than thirty (30) days.

(c) Whoever makes any false statement on his return or refuses to permit inspection of his books and papers shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars (\$1000) or to undergo imprisonment for not more than two (2) years or both.

Section 13 Employes Compensation Upon the recommendation of the Receiver of School Taxes or School Treasurer the Board of Public Education shall appoint and fix the salaries of such employes as may be necessary to aid such Receiver of School Taxes or School Treasurer in the proper administration of this act. The Receiver of School Taxes or School Treasurer shall receive no compensation in addition to his regular salary for administering the provisions of this act.

Section 14 Saving Clause Nothing contained in this act shall be construed to empower any school district of the first class to levy and collect the taxes hereby imposed on any person not within the taxing power of this Commonwealth under the constitution of the United States.

Section 15 Limitation The provisions of this act shall apply only to school districts of the first class having a population of less than one million five hundred thousand (1,500,000) persons.

Section 16 Severability The provisions of this act are severable. If section fifteen hereof shall be held to be unconstitutional the decision of the court shall not affect or impair the other provisions of this act and school districts of the first class without regard to the population limitation provided in section fifteen hereof shall have the power and authority to levy and collect the taxes hereby imposed.

Section 17 Repeal All acts or parts of acts inconsistent herewith are hereby repealed.

Section 18 Effective Date The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Holland,	Rahausen,	Watson,
Chapman,	Heyburn,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, The the Clerk present said bill to the House of Representatives for concurrence,

REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE from the Committee on Forests and Waters Game and Fish reported as committed, House Bill No. 693, entitled:

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" authorizing the Water and Power Resources Board to sell waters from canals and to lease sell and convey real personal or mixed property acquired by it.

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS from the Committee on Forests and Waters Game and Fish reported as committed House Bill No. 2308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 898, as follows:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 774) is hereby further amended to read as follows

Section 532 The board of school directors of each school district of the first class shall annually at or before the time of levying the annual school taxes prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments or the following fiscal year Such annual estimate shall be apportioned to the several classes of expenditures of the districts as the board of school directors thereof may determine The total amount of such estimate shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in the district

The board of school directors shall at least fifteen days prior to the time final action is taken on any budget publish by advertisement at least once in two newspapers of general circulation printed in the municipality in which such school district is located notice that such proposed budget has been prepared and is open to public inspection at the office of the board of school directors and such advertisement shall include a notice of public hearing on the proposed budget scheduled for at least ten days before final action is taken upon any budget

The board of public education in school districts of the first class may during any fiscal year make additional appropriations or increase the existing appropriations to meet emergencies such as epidemics floods fire or other catastrophies and to increase the salaries of the employees of the board the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such additional appropriations and such temporary loans shall be authorized by the affirmative vote of two-thirds of all the members of the board

The board of public education shall have the power to transfer any unencumbered balance or any portion thereof from one appropriation to another or from one spending agency to another by the affirmative vote of two-thirds of all the members of the board

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 898 RECALLED FROM THE GOVERNOR

Mr. TALLMAN Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 898.

Mr. LORD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geitz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Jent,	Kephart,	Snowden,	Wood, L. H.,
Distivestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1035, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1173, as follows:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of

Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two three and five of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" are hereby amended to read as follows

An Act authorizing and regulating the growth sale and distribution of forest tree seedlings [and] transplants shrubs and vines by the Department of Forests and Waters regulating the use of such forest tree seedlings [and] transplants shrubs and vines and imposing duties upon the Department of Agriculture with regard to the enforcement of this act

Section 1 Be it enacted &c That the Department of Forests and Waters is hereby authorized to grow forest tree seedlings [and] transplants shrubs and vines and to sell the same at a sum not to exceed the average cost of production and shipping to persons partnerships and corporations desiring to plant them The moneys collected by the Department from the sale and shipping of trees shrubs and vines under this act shall be paid into the State Treasury [for the use of the Commonwealth]

Section 2 Before the department shall sell any trees or shrubs or vines to any person partnership or corporation it shall require such person partnership or corporation to enter into an agreement or contract with the department in which such person partnership or corporation shall agree (a) That all forest tree seedlings and transplants so purchased shall be planted in Pennsylvania for watershed protection or for wood products or that all shrubs or vines so purchased shall be planted in Pennsylvania for soil erosion control reclamation of areas affected by open pit mining and for wildlife food and cover (b) That the trees shrubs or vines with roots attached will not be sold by the purchaser for removal from the land [until they become large enough for use as wood products] (c) That a report on the planting will be furnished by the planter when requested by the department (d) That the planted area will be protected as far as possible from fire grazing and trespassing (e) That if such trees shrubs or vines are sold or offered for sale for ornamental purposes the person partnership or corporation shall become liable to the Commonwealth for the payment of a penalty equal to three times the sale value of the trees shrubs or vines sold and (f) Such other conditions and stipulations as the Department of Forests and Waters may require

Section 3 No trees shrubs or vines shall be sold by the Department under the provisions of this act that are to be planted for [windbreaks] hedges table trees potted trees or for shade or ornamental use

Section 5 It shall be unlawful for the Department of Agriculture to grant a permit certificate of inspection under section six [paragraph b of the act approved the tenth day of March one thousand nine hundred and twenty-seven entitled "An act relating to the protection of agriculture and horticulture from plant pests and amending revising consolidating and changing the law relating thereto defining the powers and duties of the Department of Agriculture relating thereto providing penalties and repealing present laws"] of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937" and its amendments to landowners who are about to sell or remove unlawfully trees originally supplied from the State nurseries for future timber or shrubs and vines originally supplied for

soil erosion control reclamation of areas affected by open pit mining or for wildlife food and cover

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1173 RECALLED FROM THE GOVERNOR

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1173.

Mr. KEPHART. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 72, as follows:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time heretofore or hereafter spent in military service in time of war or national emergency in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service

and shall thereafter receive during life a retirement allowance as herein provided for. The time spent in the employ as a county employee need not necessarily have been continuous. Provided That when any employee has had twenty or more years of service not necessarily continuous and has reached the age of fifty years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for.

Whenever any retired county employee receiving a retirement allowance as herein provided shall die leaving a widow to survive him there shall be paid to such widow by the Retirement Board for and during the period of her widowhood an allowance equal to one-half of the amount being paid to such retired county employee at the time of his death.

Whenever any county employee has heretofore enlisted in or been inducted into or shall hereafter enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the president of the United States after having been employed by the county for a period of six months or more he shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employee into the county employees' retirement fund shall be paid into such fund by the county

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 72

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 72.

Mr. WATSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsheer,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 470, as follows:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Whenever in the opinion of the Secretary of Highways the laying out opening and construction of the highways hereinafter described will facilitate the movement of vehicular traffic or relieve traffic congestion on the State Highway System the Secretary of Highways with the approval of the Governor shall have authority to lay out and take over as State highway routes such highways in accordance with the following descriptions:

(1) Beginning at a point on Route 507 north of Shiremanstown thence in a general easterly direction in Cumberland County to the Dauphin County line in or near Lemoyne thence easterly in Dauphin County to an intersection with Route 139 Spur.

(2) Beginning at a point on Route 1 near Rockville thence in a general southeasterly direction in Dauphin County crossing Route 140 and 139 east of Harrisburg to a point on Route 129 southeast of Middletown.

(3) Beginning in the City of Easton at the approach to the toll bridge leading to Philipsburg New Jersey thence westerly in Northampton County to a point near Brodhead thence southwesterly in Northampton and Lehigh Counties to a point on Route 443 and by spur from a point near Brodhead northwesterly in Northampton County to a point on Route 471 west of Bath.

Section 2 The laying out of a new State highway route under the provisions of this act shall be by a plan prepared by the Department of Highways approved by the Governor and filed in the office of the Recorder of Deeds of the proper county at the expense of the county or counties wherein such highway is located and thereafter such highway shall be a part of the system of State Highways to be constructed and maintained by the Department of Highways at the expense of the Commonwealth.

Highways laid out under the provisions of this act may traverse existing streets and roads including existing State highway routes.

Section 3 The opening construction reconstruction and maintenance of highways laid out under the provisions of this act shall be done by the Department of Highways in accordance with the provisions of present or future laws governing the relocation widening construction reconstruction and maintenance of State highways and the opening construction or reconstruction may be done in sections and shall include the necessary structures and appurtenances.

Section 4 Where any new highway laid out under the provisions of this act approximates the location of an existing State highway route the existing State highway route may be replaced or relocated to the new highway.

Section 5 So much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways.

Section 6 This act shall be effective immediately upon its final enactment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 470

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 470.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Becker,	Frazier,	Leader,	Stiefel,
Berger,	Geltz,	Letzler,	Tarr,
Blass,	Haluska,	Lord,	Taylor,
Carr,	Hare,	Mahany,	Tyler,
Chapman,	Heyburn,	Mallery,	Wade,
Crowe,	Holland,	Margie,	Wagner,
Dent,	Homsher,	Rahauser,	Wilson,
DISilvestro,	Jaspan,	Rosenfeld,	Wolfe,
Doehla,	Kephart,	Ruth,	Wood, L. H.,
Donlan,	Klein,	Scarlett,	Woodring,
Farrell,	Lane,	Stevenson,	Walker,
			Presiding Officer

NAYS—6

Barr,	Snowden,	Watson,	Wood, T. N.,
Crider,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 478, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative

officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) which added two new paragraphs at the end thereof is hereby further amended so that the said two paragraphs read as follows

Section 507 Purchases

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the department boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for services of the public utility companies

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 Subsection (c) of section two thousand four hundred three of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and the last paragraph of said section as added by the act approved the seventh day of May one thousand nine hundred forty-three (P. L. 248) are hereby further amended to read as follows

Section 2403 Standards and Purchases

[(c) To purchase in like manner (exclusive of the requirement as to maximum price) all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act]

(c) To enter into contracts with the lowest responsible bidder for the purchase of all other furniture materials or supplies requested by the Legislative and other departments of the State Government except as otherwise provided by this act All such contracts shall be approved by the governor and signed on behalf of the Commonwealth by the Secretary of Property and Supplies who shall also with the approval of the Department of Justice prescribe rules and regulations for the submission of

bids awards forms of contracts and other matter related thereto

Whenever a state of war exists between the United States and any other nation or nations and for a period of not longer than two years thereafter and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same when commercial conditions are such that make it impossible to secure competitive bids until such time as the state of war shall cease and normal market conditions shall be restored

Section 3 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 478

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 478.

Mr. TYLER. Mr. President, I second the motion.
On the question,
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsner,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DISilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order.
The Senate resumed the consideration of Senate Bill No. 498, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular

sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-nine or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular session of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriation of June fifth one thousand nine hundred thirty-seven (Appropriation Acts page thirty-nine) making an appropriation into the Flood Control Fund nor to the appropriation made by the act of August sixth one thousand nine hundred forty-one (P. L. 849) relating to the acquisition of Robert Fulton's Birthplace or to the unexpended balance remaining of the appropriation made by the act approved the first day of August one thousand nine hundred forty-one (P. L. 609) entitled "An act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put" nor to the unexpended balances of the appropriations for Darby Creek Construction and Maintenance made by the Act of June 1 1943 appropriation acts page 17 nor to the appropriation for the maintenance of the Pennsylvania Canal made by the Act of June 1 1943 appropriation acts page 47 nor to the appropriation for protection of the State Park and State Highway on Presque Isle Peninsula at Erie made by the Act of June 1 1943 appropriation acts page 16 nor to the balance of the appropriation for welfare institutional construction made by the Act of June 1 1943 appropriation acts page 53 nor to the appropriation for Capitol Park Extension made by the act of June 3 1943 P. L. page 818 nor to the appropriation for a memorial to Theodore Rosen made by the Act of July 31 1941 P. L. 653

Section 4 This act shall be effective upon the date of its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,
Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 498

Mr. TALLMAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 498.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

On the question,
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsifer,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 513, as follows:

An Act to further amend section one hundred thirty-three clauses (b) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto and authorizing transportation of pupils on tours to points within the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred thirty-three and clauses (b) and (e) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended or added thereto by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 491) are hereby further amended to read as follows

Section 133 [Whenever the county board of school directors and the board of school directors of each of the school districts affected of any county shall deem advisable said boards with the advice of the county superintendent and pursuant to the standards and regulations promulgated by the State Council of Education shall prepare and submit to said council a plan for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units] The State Council of Education shall review and approve or disapprove all plans for the merger of school districts or parts of school districts and for the reorganization of administrative units and attendance areas submitted by county boards of school directors in accordance with the prescribed standards and regulations

Section 814 The county board of school directors shall have power and its duty shall be

* * *

(b) [To advise local boards and make recommendations to them regarding all free transportation routes and contracts to be used after the first day of July one thousand nine hundred thirty-eight] To approve or disapprove transportation routes and contracts in all districts under the supervision of a county superintendent subject to the approval of the Department of Public Instruction

* * *

(e) To prepare county-wide plans for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units and to submit the same to the State Council of Education [and to the court of common pleas in accordance with the provisions of this act] on or before the first Monday of July one thousand nine hundred forty-eight If the merger plans are approved by the State Council of Education the county board shall cause such plans to be submitted to the electors in accordance with the procedure outlined in section one hundred thirty-four of this act If the electors do not assent to the merger revised plans shall be submitted within five years in accordance with the foregoing procedure

Section 2 The second paragraph of section one thousand four hundred four of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) and by the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby further amended to read as follows

Section 1404 * * *

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any resident pupil to and from the public schools and to and from any points in the Commonwealth in order to provide tours for any purpose connected with the educational pursuits of the pupils In all school districts under the direction of a county superintendent all transportation routes to be used after the first day of July one thousand nine hundred thirty-eight shall be established with the advice and assistance of the county board of school directors District owned school buses may be used under contract with another school district to transport nonresident pupils provided the transportation is approved by the county board of school directors and the Department of Public Instruction In any case where after such date two or more such school districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of the State Council of Education be apportioned among such districts by the county board of school directors The State Council of Education shall prescribe and adopt standards and regulations including qualifications of school bus drivers to govern the transportation of public school pupils All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired by the school district shall conform to standards prescribed by the State Council of Education Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use

Section 3 Subsection (f) of section one thousand four hundred six of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby further amended to read as follows

Section 1406 * * *

(f) If the Department of Public Instruction [approved] approves the transportation [as to methods] and means and the contracts provided therefor the Commonwealth will pay annually the amounts provided for by this act to the school district furnishing such transportation

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 513

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 513.

Mr. BECKER. Mr. President, I second the motion.

On the question,
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Watson,
Crider,	Jaspan,	Ruth,	Wilson,
Crowe,	Kephart,	Scarlett,	Wolfe,
Dent,	Klein,	Snowden,	Wood, L. H.,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Woodring,
Donlan,	Letzler,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 545, as follows:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" as last amended by the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 93) and the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) is hereby further amended to read as follows

Section 1 Be it enacted etc [That it] Contents of Petition for Adoption It shall be lawful for any adult person desirous of adopting any person either a minor or an adult as his or her heir or as one of his or her heirs to present his or her petition to the orphans' court or to a law judge thereof of the county where he or she may be resident or [of] upon allowance by the orphans' court in the county in which the person to be adopted is a resident except that in counties of the first class where the petition shall be presented to a judge of the municipal court declaring such desire and that he or

she will perform all the duties of a parent to such person Such petition shall also set forth the name color age date and place of birth and religious affiliation of the person proposed to be adopted the name residence [and] martial status color age occupation and religious affiliation of the adopting parent or parents the name color age and place of residence of each of the natural parents or of the surviving parent or of any other person whose consent to the proposed adoption is necessary as hereinafter provided and in those cases where abandonment is alleged a statement that said abandonment has continued for a period of at least six months In addition such petition shall embody or have attached thereto the consents in writing of the person or persons whose consent to the proposed adoption is necessary as hereinafter provided

Section 2. Section two of said act as last amended and section three of said act as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) are hereby further amended to read as follows

Section 2 Consent Necessary to Adoption Consent to the adoption is necessary as follows

(a) Of the person proposed to be adopted if over twelve years of age and of said person's husband or wife if any

(b) Of the adopting parent's husband or wife unless they jointly adopt such person

(c) Of the parents or surviving parent of the person proposed to be adopted if such person shall not have reached the age of eighteen years [except that in] If any such parent or surviving parent shall be a minor but shall have reached the age of eighteen years or over his consent shall be sufficient without the consent of his parent or guardian In the case of an illegitimate child the consent of the mother only [is] shall be necessary [unless the father has acknowledged such child but the] The consent of a parent who has been adjudged a [lunatic] person of unsound mind of whose unsoundness of mind competent medical testimony presents a prognosis of incurability or habitual drunkard or who has abandoned the child [is] for a period of at least six months shall be unnecessary provided such fact is proven to the satisfaction of the court or judge hearing the petition in which case such court or judge shall so find as a fact

(d) If the person proposed to be adopted has no father or mother living or whose consent is necessary hereunder then of the legal guardian if any there be and of the person or persons having the legal custody of such child if any such person can be found but if such child has no father or mother living or whose consent is necessary hereunder and no legal guardian and no person can be found who has the legal custody of such child and the same be proven to the satisfaction of the court or judge hearing the petition the said court or judge shall so find as a fact

(e) If the person proposed to be adopted has theretofore been adopted then of such adopting parents or surviving adopting parent subject to the same exception provided in clause (c) of this section in the case of natural parents

Section 3 Hearings Upon presentation of any such petition as aforesaid a time for hearing thereon shall be fixed not less than ten days from said presentation which said hearing may be before the said court or any law judge thereof at chambers and may be adjourned from time to time if the nature of the case should so require At said hearing the adopting parents or parent the person proposed to be adopted if in the opinion of the court such persons presence is deemed necessary and all the persons whose consent is necessary hereunder must appear in person and be examined under oath by such court or judge but the personal appearance of the natural parents or other persons whose consent is necessary hereunder may be dispensed with in the discretion of the court or judge hearing the petition if such persons reside without the jurisdiction of the court or if for any

other reason the said court or judge deem it unnecessary provided the duly executed consents of such persons in writing have been filed with the petition and the said court or judge may in his discretion require the personal appearance of the natural parents of the child at a different time and separate and apart from that of the other parties in interest. The said court or judge shall also hear any other testimony as to the facts set forth in the petition or necessary to inform the court as to the desirability of the proposed adoption and may also make or cause to be made an investigation by some person or agency specifically designated by said court or judge to verify the statements of the petition and such other facts as will give the court full knowledge as to the desirability of the proposed adoption.

Section 3 Section four of said act is hereby amended to read as follows:

Section 4 Decrees of Court Records in no case shall any decree of adoption be made or entered unless the person proposed to be adopted shall have resided with the petitioner for a period of six months prior thereto or in lieu of such residence unless such person is related by blood or marriage to the petitioner. If satisfied that the statements made in the petition are true and that the welfare of the person proposed to be adopted will be promoted by such adoption and that all the requirements of this act have been complied with the court or judge shall make a decree so finding [and reciting the facts at length] and directing that the person proposed to be adopted shall have all the rights of a child and heir of such adopting parent or parents and be subject to the duties of such child but otherwise shall make a decree refusing the adoption and dismissing the petition. If desired by the parties the decree may also provide that the person adopted shall assume the name of the adopting parent or parents and any given first or middle names that may be chosen. Such decree [shall] be filed and spread at length upon the records of said court and shall be sufficient evidence of the adoption and shall be open to the public. All other papers pertaining to the case and the testimony if written out shall be kept in the files of said court as a permanent record thereof and [may in the discretion of said court or judge] shall be withheld from inspection [by a proper order in which case no person shall be allowed access thereto] except upon an order of court granted upon cause shown. Upon the making of such decree the prothonotary or clerk of the orphans' court as the procedure established may require shall enter upon the docket an entry showing the court term and number and the date of the decree.

Section 4 Any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting or the person or persons adopted was a nonresident or were nonresidents of this Commonwealth at the time such adoption was granted or decreed or any adoption which was granted prior to the expiration of the full ten days required by the act of assembly to intervene between the filing of the petition for the adoption and the hearing of such petition by the court or which was granted or decreed without the formal entry on the decree of the findings of facts at length or without the court or judge specifically finding that the statements made in the petition were true is hereby declared valid and lawful as though made in full observance of all the requirements of the act to which this is an amendment. Provided That the petition and decree for such adoption were otherwise in accordance with the act to which this is an amendment.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 545

Mr. TALLMAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 545.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausser,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Hornsher,	Ruth,	Wolf,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 581, as follows:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the department of public instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said authority to pay expenses incident to its formation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Short Title This act shall be known and may be cited as the "State Public School Building Authority Act".

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise:

(a) "Authority" shall mean the body politic and corporate created by this act.

(b) "Department" shall mean the Department of Public Instruction.

(c) "Project" shall mean any structure facility or undertaking which the Authority is authorized to construct improve maintain or operate under the provisions of this act.

(d) "Bonds" shall mean and include the notes bonds and other evidences of indebtedness or obligations which

the Authority is authorized to issue pursuant to this act

(e) "Construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct in such manner as may be deemed desirable

(f) "Improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve in such manner as may be deemed desirable

Section 3 State Public School Building Authority The Governor the Superintendent of Public Instruction the Secretary of Property and Supplies the President Pro Tempore of the Senate the Speaker of the House of Representatives and their respective successors in office are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of the "State Public School Building Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members

Section 4 Purposes and General Powers The Authority is created for the purpose of constructing improving maintaining and operating public school buildings and furnishing and equipping the same for use as public schools as a part of the public school system of the Commonwealth of Pennsylvania under the jurisdiction of the Department of Public Instruction

The Authority is hereby granted and shall have and may exercise all the powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

- (a) To have perpetual existence as a corporation
- (b) To use and be sued implead and be impleaded complain and defend in all courts
- (c) To adopt use and alter at will a corporate seal
- (d) To acquire purchase hold lease as lessee and use any property real personal or mixed tangible or intangible or any interest therein (necessary or desirable) for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or any interest therein at any time acquired by it
- (e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects
- (f) To make by-laws for the management and regulation of its affairs
- (g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation
- (h) To fix alter charge and collect rentals and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations
- (i) To borrow money make and issue bonds of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof
- (j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business
- (k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transaction with any Federal agency
- (l) To have the power of eminent domain
- (m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its school districts nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its school districts nor shall the Commonwealth or any of its school districts be liable for the payment of principal or interest on such obligations

Provided further That all contracts between the Authority and school districts shall be conditioned upon the preparation of general plans for the orderly development of improved attendance areas and administrative units and for the improved housing of the public schools of the Commonwealth These plans shall be prepared cooperatively by local county and State school authorities in accordance with standards and regulations prescribed by the Department The Department shall have authority and its duty shall be to review all construction projects to determine

- (1) The extent to which they conform to general county and State plans
- (2) The amount of improvement to be brought about in attendance areas and administrative units
- (3) The adequacy of the proposed building with respect to educational design location usefulness for community activities safety comfort and convenience
- (4) The ability of the local school district or districts to amortize the cost of construction and to defray the cost of operation and maintenance

No contract shall be executed between the Authority and school districts without the specific written approval of the Department

Section 5 Contracts to Lease and Leases by School Districts from Authority Any school district within the Commonwealth shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any school building and the furnishings and equipment thereof constructed or improved by the Authority for a term with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of said school building and the furnishing and equipment thereof the school district shall have power and authority with the approval of the Governor to lease as lessee any school building and the furnishings and equipment thereof completed by the Authority for a term with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority

Section 6 Purposes and Powers Bonds (a) The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding thirty (30) years from their respective dates bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of the Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such

officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids the notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals the name of the officer to whom bids or proposals shall be delivered and a statement of the terms and conditions of sale Pending the preparation of the defective bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any county or other political subdivision thereof) for such obligations or restricting the same to all or any of the revenues rentals or receipts of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of any project or projects and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of rentals and other charges for use of the facilities of or for the services rendered by the Authority including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any rentals or other charges are payable (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed or trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

(c) The Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues rentals or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (i) the construction improvement operation maintenance and repair of any project or projects and the duties of the Authority with reference thereto (ii) the application of funds and the safeguarding of funds on hand or on deposit (iii) the rights and remedies of said trustees and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders (a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after said principal or interest shall become due whether

at maturity or upon call for redemption and such default shall continue for a period of thirty (30) days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may (except as such right may be limited under the provisions of any deed of trust indenture or other agreement as aforesaid) appoint a trustee to represent the bondholders for the purposes herein provided Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(1) By mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) Bring suit upon the bonds

(3) By action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) By action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) By notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

(b) Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may (to the same extent that the Authority itself could so do) enter and take possession of the facilities of the Authority or any parts thereof the revenues rentals or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustees the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

(c) In addition to all other rights and all other remedies any holders of bonds of the Authority shall have the right by mandamus or other suit action or proceeding at law or in equity to enforce his rights against the Authority including the right to require the Authority to collect fees rentals and other charges adequate to carry out any agreement as to or pledge of such fees rentals or other charges or income revenues and receipts and to

require the Authority to carry out any of its covenants and agreements with the bondholders and to perform its and their duties under this act.

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board. Within ninety days after this act shall become effective the board shall meet and organize by electing from their number a president and secretary. At the first regular meeting in each year thereafter they shall elect from their number a president and secretary.

Three members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purpose and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number. The board shall have full authority to manage the properties and business of the Authority to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers agents and employees of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employees such powers and duties as it may deem proper.

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority. All banks and trust companies are authorized to give such security for such deposits. The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders. The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs.

Section 10 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars (\$500) such contract shall be awarded to the lowest responsible bidder after advertisement for bids once a week for three weeks in at least one newspaper of general circulation in the county where the project or improvement is located. The authority may make rules and regulations for the submission of bids and the construction or improvement of any project or portion thereof. No contract shall be entered into for construction or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract. All construction contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the Authority to construct

any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employees of the Authority or otherwise than by contract.

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof.

Section 11 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands as it may deem necessary for any of the purposes mentioned in this act. Provided however That no lands interest in lands or property of a public service company or property used as a burial ground or place of public worship or a dwelling house and the reasonable curtilage not to be less than three hundred (300) feet appurtenant thereto shall be appropriated by virtue of power of eminent domain hereby conferred. The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by the Commonwealth.

Section 12 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority. Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligation of the Authority or violate any agreements with them or for their benefit.

Section 13 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged. The Commonwealth does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of any project or such portion thereof.

Section 14 Exemption from Taxation The effectuation of the authorized purposes of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their welfare and prosperity and for the improvement of their education and educational facilities and since the Authority will be performing essential governmental functions in effectuating such purposes the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania.

Section 15 The sum of one hundred thousand dollars (\$100,000) or so much thereof as may be necessary is hereby appropriated to the authority for the payment of costs and expenses incurred in commencing the work of the Authority.

Section 16 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 581

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 581.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahouser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Woodring,
Farrell,	Letzler,	Tallman,	Walker,
			Presiding Officer

NAYS—2

Chapman, Frazier,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 598, as follows:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof

conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum

width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby further amended by changing the description of Routes 161 247 and 253 to read as follows

Route 161 From Pottsville to Sunbury
Commencing in Pottsville and running by way of Frackville Gilberton and Girardville [and] to a point near Centre and Twenty-first Street in Ashland thence to a point on the dividing line between Schuylkill and Columbia Counties thence by way of Centralia to a point on the dividing line between Columbia and Northumberland Counties thence by way of Mount Carmel Shamokin Paxinos and Stonington by way of Old Centre Pike into Sunbury Northumberland County

Route 247 From Pittsburgh to Uniontown
Commencing at a point on the boundary line of the city of Pittsburgh and running by way of Castle Shannon and Library to a point on the dividing line between Allegheny and Washington counties thence by way of Finleyville [and] to Monongahela City at West Main Street thence from Monongahela City to Charleroi thence over route one hundred and eighteen to Belle Vernon thence by way of Fayette City Star junction and Vanderbilt to Connellsville thence over route one hundred and seventeen into Uniontown Fayette County and by spur from Monongahela along the river through Donora thence westward to connect with the main route two hundred forty-seven

Route 252 From [Tionesta] Kellettsville to Smethport
Commencing [in Tionesta and running over routes ninety-two and ninety-eight to Nebraska thence by way of] near Kellettsville thence by way of Mayburg and Lynch to a point on the dividing line between Forest and Warren counties thence by way of Barnes to Sheffield thence over route ninety-five into Smethport McKean County

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 598

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 598.

Mr. T. NEWELL WOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margle,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Willson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.

DiSilvestro,
Doehla,
Donlan,
Farrell,

Klein,
Lane,
Leader,
Letzler,

Stevenson,
Stiefel,
Tallman,
Tarr,

Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 736, as follows:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sub-section (a) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended in part by the act approved the eighteenth day of May one thousand nine hundred and forty-five (P. L. 803) and as last amended in part by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hun-

dred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled except in any county which does not have sufficient money in such special fund to provide for payments designated in the current annual budget for payment from such special fund for the purposes of construction reconstruction maintenance and repair of county-owned roads highways and bridges property damages interest and principal payments on road or bridge bonds or sinking funds charges for such bonds becoming due within the current calendar year the county for the purpose of such payments and such payments only may borrow and place in such special fund moneys not in excess of the liquid fuels tax funds to be received during the current calendar year and all such loans shall be repaid from such special fund before the expiration of the current calendar year and not thereafter Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes [and all such payments heretofore made are hereby validated] and all payments made by any county either directly or indirectly prior to the first day of January one thousand nine hundred and forty-six for any or all such purposes are hereby validated Provided That no expenditures from the County Liquid Fuels Tax Fund shall be made by the county commissioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And provided further That the county commissioners shall not allocate moneys from the county liquid fuels tax fund to any political subdivisions within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the Department of Highways on or before the fifteenth of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the Department of Highways a report showing the receipts and expenditures of such moneys received by the county from the Commonwealth under the provisions of this section Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any one of such reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 736

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 736.

Mr. SNOWDEN. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DISilvestro,
Doehla,
Donlan,
Farrell,
Frazier,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahausser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 326, on final passage, entitled:

An Act relating to marriage and amending, revising consolidating and changing the law relating thereto.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 983, as follows:

An Act to further amend clause (a) of section four hundred fifteen and clause (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the Workmen's Insurance Fund providing penalties and repealing existing laws" changing the definition of group life insurance and further defining group accident and health insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regu

lation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 785) and as amended by the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 144) is hereby further amended to read as follows

Section 415 (a) Group life insurance is hereby declared to be that form of life insurance covering not less than [fifty] twenty-five employees with or without medical examination written under a policy issued to the employer the premium on which is to be paid by the employer or by the employer and employees jointly and insuring only all of his employees or all of any class or classes thereof determined by conditions pertaining to the employment for amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the employer. Provided however That when the premium is to be paid by the employer and employee jointly and the benefits of the policy are offered to all eligible employees not less than seventy-five per centum of such employees may be so insured. Such group policy may provide that the term "employees" shall include the officers managers and employees of subsidiary or affiliated corporations and the individual proprietors partners and employees of affiliated individuals and firms when the business of such subsidiary or affiliated corporations firms or individuals is controlled by the group policyholder through stock ownership contract or otherwise

Section 2 Clause (a) of section six hundred twenty-one point one of said act as amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 148) is hereby further amended to read as follows

Section 621.1 Group accident and health insurance (a) Group accident and health insurance is hereby declared to be that form of accident and health insurance covering not less than twenty-five employees or members and in addition may include the employees' or members' dependents written under a master policy issued to a summer camp scout troop college school system [school] one or more schools or other [institution] institutions of learning or to the head or heads or principal or principals thereof who or which shall be deemed the policyholder or to any governmental corporation unit agency or department thereof or to any corporation copartnership individual employer or to any association or organization of employees of one employer its affiliates or subsidiaries or to the members of any labor union bar association medical dental or other professional society volunteer fire department automobile club or association or to any organization or association of federal or state employees or school teachers or school employees or nurses where officers members employees or classes or departments thereof may be insured for their individual benefit

Section 3 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,

DiSilvestro,
Doehla,
Donlan,
Farrell,

Klein,
Lane,
Leader,
Letzler,

Stevenson,
Stiefel,
Tallman,
Tarr,

Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 56, on third reading, entitled:

An Act relating to the lien of mortgages defeasible deeds in the nature of mortgages verdicts and amicable adverse judgments imposing duties on certain county officials and protecting the lien of mortgages given by purchasers to sellers if recorded within thirty days from the date of such mortgage

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 113, as follows:

An act to add section eight point one and to amend section thirteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by further providing for the assessment and valuation of buildings under construction and land which has been laid out in building lots

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeal and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" is hereby amended by adding after section eight a new section to read as follows

Section 8.1 No new building in the process of construction shall be valued or assessed for any purpose until the expiration of one year from the date the construction of the new building was begun or the date of issuance of the building permit covering such building where such permit is required and no land assessed as acreage or unimproved property which is subsequently laid out in lots and the plan of such lots is recorded shall be assessed in excess of the total assessment of the land as acreage or unimproved property for a period of three years after the recording of such plan or until such time as the lots

are actually sold or improved with permanent construction whichever period is the shorter each such lot as sold shall be subject to reassessment beginning with the date of such sale and new construction begun thereon shall be subject to reassessment as provided above

Section 2 Section thirteen of said act is hereby amended to read as follows

Section 13 The proper assessors shall between the triennial assessments revise any assessment or valuation according to right and equity by correcting errors and by adding thereto any property or subjects of taxation which may have been omitted or any new property or subjects of taxation which may have come into being since the last triennial assessment

They shall also add thereto the names of any persons who may have moved into such district and strike therefrom the names of any persons who have removed from such districts since the last triennial assessment

The proper assessors shall also revise assessments and valuations between the triennial assessments by increasing or decreasing the same where the value of the property or subjects of taxation assessed or valued has changed by reason of any change of conditions thereon or adjacent thereto or in the vicinity thereof or for the reason that the property assessed or valued has been subdivided or laid out into a plan of lots or other subdivisions or for the reason that improvements have been placed thereon or added thereto or for the reason that any public or other improvement has been made adjacent thereto or in the vicinity thereof or for the reason that the assessor and the majority of the board decides that the assessor erred in the value which he placed on the property or subjects of taxation when making the triennial assessment or where for any other reason whatsoever the value of the property has changed and it seems to the board necessary and equitable to make a change in the valuation thereof. The assessors shall also between the triennial assessments in all cases where it is apparent that any assessment is not in accord with the generality or uniform standard of assessments revise and correct the same by increasing or decreasing the same where the value of the property or subjects of taxation assessed do not conform to the generality or uniform standard of assessments

No new building in the process of construction shall be valued or assessed for any purpose until the expiration of one year from the date the construction of the new building was begun or the date of issuance of the building permit covering such building where such permit is required and no land assessed as acreage or unimproved property which is subsequently laid out in lots and the plan of such lots is recorded shall be assessed in excess of the total assessment of the land as acreage or unimproved property for a period of three years after the recording of such plan or until such time as the lots are actually sold or improved with permanent construction whichever period is the shorter. Each such lot as sold shall be subject to reassessment beginning with the date of such sale and new construction begun thereon shall be subject to reassessment as provided above

All assessments required to be made by the proper assessors in the year between the triennial assessment shall be returned to the board not later than the first Monday of September of the year preceding the one for which it is made

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 168, as follows:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings for anti-stream pollution projects and for flood control projects creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred forty-five of an amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars (\$50,000,000) for the construction of public buildings highways drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans" the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on the credit of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of fifty million dollars (\$50,000,000) as may be deemed necessary to carry out the purposes of said amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity Interest Et Cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed six per centum (6%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor Auditor General the State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States. All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes.

(d) Such bonds may be issued with or without interest coupons attached. In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General.

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed. The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act.

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct. The manner and character of such advertisement and the time of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer.

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct. No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act.

Section 4 Disposition and Use of Proceeds The Proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Public Buildings Construction Fund which is hereby created and shall be used for the payment of the cost of the construction of public buildings for anti-stream pollution projects and for flood control projects as provided for in the constitutional amendment hereinbefore cited and in legislation passed in conformity therewith.

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof. All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth.

Section 6 Information to General Assembly It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly all information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity.

Section 7 Public Buildings Construction Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Public Buildings Construction Sinking Fund. For the specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall appropriate biennially the moneys necessary to pay the interest on said bonds and the principal thereof at maturity. All moneys so appropriated shall be paid into the Public Buildings Construction Sinking Fund by the State Treasurer. All of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth.

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and

be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity. The Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act. In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor the Auditor General and the State Treasurer. A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it. All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable.

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning June first one thousand nine hundred forty-seven and the times and amount of such payments and the amount so determined shall be transferred from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund and for such purpose as much of the money in the Public Buildings Construction Fund as may be necessary is hereby appropriated. Should the moneys in the Public Buildings Construction Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the Public Buildings Construction Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of the construction of public buildings for anti-stream pollution projects and for flood control projects as provided by law there is hereby appropriated from the General Fund a sum sufficient to restore to the Public Buildings Construction Fund the moneys so transferred.

Section 9 Quorum Whenever in this act a new action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds to provide funds for the construction of public buildings when the Secretary of Property and Supplies with the approval of the Governor shall decide to do so.

Section 10 Appropriation The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue sale and registration of said bonds. Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer.

Section 11 Effective Date This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,

Frazier,
Geltz,
Haluska,

Lord,
Mahany,
Mallery,

Tarr,
Taylor,
Tyler,

Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 211 on third reading, entitled:

An Act to encourage and promote the apple industry of the Commonwealth creating the Pennsylvania State Apple Board defining its powers and duties providing for campaigns of education advertising publicity sales promotion and research to promote the sale and consumption of apples levying a tax on apples appropriating the proceeds of such tax conferring powers and imposing duties on the Department of Agriculture and on the Department of Revenue prescribing penalties and making an appropriation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 234, as follows:

An Act to amend section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" regulating acknowledgments of written instruments made by corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" is hereby amended to read as follows

Section 7 Forms of Certificates An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms

(1) By individuals

State of
County of

On this the day of 19 before me the undersigned officer personally appeared known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
Title of Officer

(2) By a corporation

State of
County of

On this the day of 19 before me the undersigned officer personally appeared who acknowledged himself to be the of a corporation and that he as such being authorized to do so executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as

In witness whereof I hereunto set my hand and official seal

.....
Title of Officer

Any deed conveyance mortgage or other instrument in writing made and executed by a corporation may be acknowledged by any officer of said corporation whose signature appears on such deed conveyance mortgage or other instrument in writing in execution or in attestation

(3) By an attorney in fact

State of
County of

On this the day of 19 before me the undersigned officer personally appeared known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for and acknowledged that he executed the same as the act of his principal for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
Title of Officer

(4) By any public officer or deputy thereof or by any trustee administrator guardian or executor

State of
County of

On this the day of 19 before me the undersigned officer personally appeared of the State (County or City as the case may be) of known to me (or satisfactorily proven) to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

.....
Title of Officer

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 236, as follows:

An Act to amend subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgements of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 490) entitled "An act relating to acknowledgements of written instruments and to make uniform the law with relation thereto" are hereby amended to read as follows

Section 9 Authentication of Acknowledgments

(1) If the acknowledgment is taken within this State or if taken without this State by an officer of this State or is made without the United States by an officer of the United States no authentication shall be necessary

(2) If the acknowledgment is taken without this State but in the United States a territory or insular possession of the United States the District of Columbia or the Philippine Islands the certificate shall be authenticated by a certificate as to the official character of such officer executed (1) if the acknowledgment is taken by a clerk or deputy clerk of a court by the presiding judge of the court or (2) if the acknowledgment is taken by [a notary public by a clerk of a court of record of the county parish or district in which the acknowledgment is taken] some other authorized officer by the official having custody of the official record of the election appointment or commission of the officer taking such acknowledgment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0
A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 247, as follows:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre of Philadelphia Pennsylvania for the purpose of research and training of personnel of the clinic for the care treatment and care of alcoholics and the maintenance of patients both male and female

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44			
Barr,	Frazier,	Leader,	Stiefel,
Becker,	Geltz,	Letzler,	Tarr,
Berger,	Haluska,	Lord,	Taylor,
Blass,	Hare,	Mahany,	Tyler,
Carr,	Heyburn,	Mallery,	Wade,
Chapman,	Holland,	Margie,	Wagner,
Crowe,	Homsher,	Rahauser,	Wilson,
Dent,	Jaspan,	Rosenfeld,	Wolfe,
Doehla,	Kephart,	Ruth,	Wood, L. H.,
Donlan,	Klein,	Scarlett,	Woodring,
Farrell,	Lane,	Stevenson,	Walker,
			Presiding Officer

NAYS—6			
Crider,	Snowden,	Watson,	Wood, T. N.,
DiSilvestro,	Tallman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 275, as follows:

An Act to amend section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public

utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" increasing the period of time in which removal notices and registration transfers must be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven and subsection (a) of section twenty-eight of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 27 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present residence and (4) wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register Each removal notice to be effective must be received at the office of the commission at least [thirty] fifty days prior to any primary or General election and at least thirty-five days prior to any Municipal Election which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary election

Section 28 Transfer of Registration (a) Upon receipt not later than the [thirtieth] fiftieth day next preceding any primary or General election and not later than the thirty-fifth day next preceding any municipal election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to

the district register of the election district of his new residence

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Lord,	Wade,
Berger,	Frazier,	Mahany,	Wagner,
Blass,	Geltz,	Mallery,	Watson,
Carr,	Har,	Scarlett,	Wilson,
Chapman,	Heyburn,	Snowden,	Wolfe,
Crider,	Holland,	Stevenson,	Wood, L. H.,
Crowe,	Homsher,	Tallman,	Wood, T. N.,
Doeila,	Kephart,	Taylor,	Walker,
Donlan,	Letzler,	Tyler,	Presiding Officer

NAYS—15

Barr,	Jaspan,	Margle,	Stiefel,
Dent,	Klein,	Rahausen,	Tarr,
DISilvestro,	Lane,	Rosenfeld,	Woodring,
Haluska,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 288 on third reading, entitled:

An Act regulating increase in rent upon the lifting of federal rent controls and prescribing penalties

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 316, as follows:

An Act to amend section four of article XVI of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by increasing the salaries of councilmen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of article XVI of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" hereby amended to read as follows

Section 4 Each councilman shall receive a salary of [five thousand dollars (\$5000)] seven thousand five hundred dollars (\$7500) per annum

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President. in explanation of my vote on this bill I want to say that I am voting for salary raises that come somewhere near that figure set up by the precedent of county raises given to various county officials of the other counties, but this has reached a point over that, this amounts to a fifty per cent increase in salary and I think at this time it is an exorbitant figure when the city of Philadelphia came in and demanded a broader tax base, in a way, I might say, crying the blues about not being able to pay the school teachers an appreciable increase in salaries, and now you are voting a fifty per cent increase for a man receiving \$5,000 a year. I believe the increase is exorbitant and not in line with the policies set up by the various agencies and by the Senate of Pennsylvania.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Donlan,	Lord,	Taylor.
Berger,	Farrell,	Mahany.	Wade.
Blass,	Frazier,	Mallery.	Watson,
Carr,	Geltz,	Rosenfeld,	Wilson,
Chapman,	Haluska,	Ruth,	Wolfe,
Crider,	Hornsher,	Scarlett,	Wood, L. H.,
Crowe,	Jaspan,	Stevenson,	Walker,
DiSilvestro,	Kephart,	Stiefel,	Presiding Officer
Doehla,	Letzler,	Tallman,	

NAYS—15

Barr,	Holland,	Rahausen,	Wagner,
Dent,	Klein,	Snowden,	Wood, T. N.,
Hare,	Leader,	Tarr,	Woodring,
Heyburn,	Margie,	Tyler,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General, reported as amended, House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the Pennsylvania Board of Parole; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members, regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and mak-

ing an appropriation," further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Elections, reported as committed, House Bill No. 492, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the compensation and raising the maximum compensation in certain cases.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 330, as follows:

An Act to amend sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" providing for marking and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eight nine and fourteen of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" are hereby amended to read as follows

Section 8 From and after one year after this act takes effect it shall be unlawful to manufacture offer or expose for sale or sell or give away for use in trade or commerce or to use in trade or commerce any weight or measure or weighing or measuring device [which does not have cast stamped etched or other otherwise marked thereon] unless it shall be conspicuously clearly and permanently marked for purposes of identification with the name initials or trade mark of the manufacturer and with the manufacturer's designation which positively identifies the pattern or the design of the device and in such manner as may be prescribed by the rules and

regulations authorized by this act [the name of the manufacturer and the serial number of the approved type to which it belongs] Provided however That whenever it shall appear to the satisfaction of the Bureau of Standards that any type of weight or measure or weighing or measuring device is such as to render it impracticable to mark it as required by this section the said bureau shall furnish a certificate to that effect to any manufacturer applying for the same and such weights and measures and weighing and measuring devices need not be marked as required by the provisions of this section

Section 9 It shall be unlawful to [cast stamp etch or otherwise mark upon] mark for purposes of identification in any manner any weight or measure or weighing or measuring device the type of which has not been approved as required by the provisions of this act any design or device simulating a serial number required by the provisions of section seven of this act

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not [more] less than five hundred dollars or more than one thousand dollars (\$1000) or by imprisonment for not [more] less than one year or more than two years or by both such fine and imprisonment in the discretion of the court

Section 14 Any person copartnership association or corporation who or which shall violate any provision of this act shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper county or city be [punished] sentenced for the first offense [by a fine of not more than twenty-five dollars and upon conviction of the second offense by a fine of not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars In default of the payment of any fine as aforesaid any person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine or costs] to pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten days and for the second offense be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty days and for the third offense shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than two hundred dollars (\$200.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty days

Any person violating any of the provisions of this act for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than three hundred dollars (\$300.00) or to undergo imprisonment for not more than sixty days or both

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barry,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Willson,
Crider,	Homsher,	Ruth,	Wolfe,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Wood, L. H.,
Wood, T. N.,
Woodring,
Walker,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 331, as follows:

An Act to further amend clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act" regulating contents of Standard Babcock Pipette

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section two of the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 278) entitled "An act supplementary to an act approved the eleventh day of May one thousand nine hundred eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term Standard Babcock Glassware and fixing penalties for the violations of the provisions of this act" as amended by the act approved the twenty-sixth day of April one thousand nine hundred twenty-one (P. L. 300) is hereby further amended to read as follows

Section 2 The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying with the following specifications

* * * * *

(c) The Standard Babcock Pipette

Total length of pipette not more than three hundred and thirty millimeters (thirteen and one-fourth inches) Outside diameter of suction tube six to eight millimeters Length of suction tube one hundred and thirty millimeters Outside diameter of delivery tube four and five-tenths to five and five-tenths millimeters Length of delivery tube one hundred to one hundred and twenty millimeters Distance of graduation mark above bulb fifteen to forty-five millimeters Nozzle straight [Delivery seventeen and six-tenths cubic centimeters of water at twenty degrees Centigrade in five to eight seconds] To contain seventeen and six-tenths cubic centimeters of water at twenty degrees Centigrade delivery in five to eight seconds Maximum error shall not exceed five-hundredths of a cubic centimeter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 360, as follows:

An Act to repeal certain statutes relating to weights and measures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following statutes dealing with weights and measures and the administration of laws relating thereto are hereby repealed

The act approved the first day of April one thousand seven hundred ninety-seven (3 Smith Laws 294) entitled "An act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same" and its amendment

The act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 98) entitled "An act fixing a standard measure of coke in the bituminous coal counties of this state"

The act approved the twenty-third day of March one thousand eight hundred forty-nine (P. L. 217) entitled "An act to establish a uniform standard for the measurement of bituminous coal and authorizing the appointment of a wood inspector in the borough of Lewistown"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 364, as follows:

An Act to further amend subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" increasing the salary of the Commissioner of Fisheries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries six thousand seven hundred fifty dollars

To the Chairman of the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 392, as follows:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 614) is hereby further amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false or insufficient weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county [for the first offense be sentenced to pay a fine not to exceed twenty-five dollars for the second offense shall be sentenced to pay a fine not exceeding fifty dollars and for each subsequent offense shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment in the proper county jail for not more than thirty days or both in the discretion of the court In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of

the proper county for each dollar of the fine and costs] for the first offense be sentenced to pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days for the second offense be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days for the third offense be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than two hundred dollars (\$200.00) and costs of prosecution and in default thereof shall undergo imprisonment for thirty (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon a conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars (\$200.00) or more than three hundred dollars (\$300.00) or suffer imprisonment for not less than six (6) months or both All such fines shall be paid to the treasurer of the respective city or county in which the offense was committed

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and a certificate of accuracy issued therefor as provided by this act It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand (\$1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 427, as follows:

An Act to further amend sections six and seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act de-

fining commodities regulating the sale thereof and providing penalties for violation hereof" changing the weight of a bushel of hair (plastering) and exempting from necessity of net quantity being marked thereon any package containing less than one ounce of liquid or dry commodities and selling for five cents or less

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six and seven of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" as amended and further amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 788) are hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel and free from any foreign matter the bushel of such commodity shall consist of the respective number of pounds herein set forth namely

Alfalfa Seed sixty pounds
Apples forty-five pounds
Apples dried twenty-five pounds
Barley forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beans (green or wax) thirty-two pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous eighty pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries thirty-two pounds
Cucumbers forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) [eighty] eight pounds
Hemp-seed forty-four pounds
Herd's-grass forty-five pounds
Hickory nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpeeled) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) twenty-eight pounds
Peas dried sixty pounds

Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pounds
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Ryemeal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes fifty-six pounds
Turnips fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania approved containers or measurers which are the original unbroken containers or measurers and are filled in accordance with good commercial practices and free from any foreign matter such fruits and vegetables shall be exempt from the provision of this section

Section 7 No person shall distribute or sell or have in his possession with intent to distribute or sell any commodity in package form unless the net quantity of the contents shall be plainly and conspicuously marked on the outside of the package in terms of weight measure or numerical count Provided however That reasonable variations shall be permitted and tolerances may be established by rules and regulations made by the department Before any tolerances are granted producers and manufacturers of commodities must make written application for a tolerance to the department and must furnish proof that the use value of the commodity will not be affected by the granting of the tolerance Exempt from marking as to net content contained shall be

(a) All packages sold as liquid commodities containing less than one ounce liquid measure and selling for five cents or less

(b) All packages sold as dry commodities containing less than one ounce avoirdupois and selling for five cents or less

[(C) All packages selling for five cents or less]

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 497, as follows:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the clerks of the Courts of oyer and terminer and quarter sessions of this Commonwealth in counties of the third four fifth sixth seventh and eighth classes shall be as follows

Affidavits 50 cents
Appeals from aldermen and justice of the peace including entering and all services pertaining thereto \$4.50
Appointment of Special tax collector or auditor including filing petition order of court and filing and recording information \$6.00
Attachments including issuance delivery of motion and return \$1.00
Bail-piece \$1.00
Bail-bond \$2.00
Beach warrants or any warrant of seizure and proceedings thereon \$2.00
Calling recognizance and entry of forfeiture \$1.00
Certificate to Secretary of Revenue of conviction of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case \$1.00
Certificates to pay for jurors \$1.00
Certificate for payment of road jurors \$1.00
Certificate for sheriff to draw petit or grand jurors or special venire \$1.00
Certificate when judge acts as magistrate affidavit warrant and service \$3.00
Certificate for ignored bill \$1.00
Certificate for reconsideration or modification of sentence \$1.00
Certificate to commissioners of tax collector's appointment \$1.00
Certificate Department of Highways of establishment of new township or borough \$3.50
Certified copy of rule or order of the court \$1.50
Certified copy of record bill of indictment \$2.00
Certified copy of record docket entries \$2.00
Commission on lunacy swearing commission filing and recording \$3.50
Commitments to County Prison \$1.00
Commitments to Penitentiary work-house or reformatory \$2.50
Constable's bond filing and recording \$1.00
Annual report of criminal statistics to be paid by the County \$10.00
Detective license filing application for \$25.00
Elections filing and recording returns of borough and township elections each district to be paid by County \$5.00
Entering submission and judgment 75 cents
Entering proceedings of Supreme or Superior Court \$5.00
Entering of nolle prosequi \$4.00
Entering information on petition for parole including order of the Court \$3.00
Estreating forfeited recognizance into County Commissioner's or Prothonotary's office \$3.00
Exemplification of the record per page \$2.50 first page \$1.00 for each additional page
Filing and entering reasons for new trial or motion in arrest of judgment 50 cents
Filing and entering bail bond or recognizance from magistrate or justice of the peace \$1.00
Filing indexing and recording information in quarter

sessions docket including non-support and surety of the peace cases \$3.00

Filing and recording information or petition in juvenile docket \$3.00

Filing any paper not relating to any suit pending or not herein provided for 50 cents

Filing and recording each district in municipal election including special election or district \$5.00

Filing petition for parole \$3.50

Filing and recording petition for appointment of election officer to be paid by County \$3.00

Filing and recording order of court for appointment of election officer including certified copy of appointment to be paid by County \$3.00

Ignoramus where bill is returned \$4.50

Issuing notice to defaulting jurors 25 cents

Jury Trial \$5.50

Motion and rule other than elsewhere provided for 50 cents

Order to view open or vacate road under seal \$3.00

Oyer and Terminer all services performed in one prosecution \$15.00

Petition for view or review of road or bridge and order thereon \$3.00

Pleas of guilty \$4.00

Process on indictment docket entry and return \$1.00

Quashing of information or indictment \$4.00

Recognizance calling and entering forfeiture 50 cents

Recognizance forfeited respited or discharged and motion therefor 50 cents

Recognizance taking each \$1.00

Recognizance in court each person \$1.00

Receiving and distributing money paid into court 1%

Recording return of viewers and confirmation per page \$2.50

Recording bill and verdict relating to one prosecution \$1.00

Recording bill where bill is returned ignored \$1.50

Recording proceedings in civil or miscellaneous docket per page single space \$4.00

Report of Judicial criminal statistics to Dept of Commerce U. S. A. \$10.00

Retaxing parties bill of costs and making report 50 cents

Search of records where no other service is performed to which any fee is attached 50 cents

Services for each clerk in court per diem or part of day \$6.00

Subpoena and seal 50 cents

Subpoena each name after first 25 cents

Supreme Court or Superior Court recording and issuing appeal 50 cents

Swearing grand jury per juror 50 cents

Swearing petit jury including witnesses relating to one prosecution and arraignment of defendant or defendants in one prosecution \$2.00

Tax Collector's bond filing and recording \$1.00

Taxing a bill of costs other than clerk of the sessions 50 cents

Trial without jury \$4.50

Venire for grand jury or petit jury or special jury \$1.00

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 The act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 570) entitled "An act regulating and providing fees of the several clerks of quarter sessions of the several counties of this Commonwealth other than in counties of the first and second classes" be and the same is hereby repealed

All other acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 499, as follows:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes shall be as follows

Docketing every complaint or agreement for an amicable action in assumpsit or trespass where no writ issues and entering return of service where service made not more than three names \$2.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing every writ of summons in assumpsit and trespass docketing same and entering return of service not more than three names \$2.50 and for each additional name 50 cents Docketing complaint where action commenced by writ \$1.00 reissuance of writ \$1.00

Docketing every complaint or agreement for an amicable action in ejectment or action to quiet title where no writ issues entering return of service where service made indexing ejectment docket not more than three names \$4.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing every writ of summons in ejectment docketing same entering return of service and indexing in ejectment docket not more than three names or more than one description \$4.50 and for each additional name or description 50 cents Docketing complaint where action commenced by writ \$1.00 reissuance of writ \$1.00

Docketing every complaint or agreement for an amicable action in mandamus or quo warranto and entering return of service where service made not more than three names \$4.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing writ of replevin with or without bond docketing same and entering return of service or docketing complaint where action without bond commenced by complaint and entering return of service not more than three names or more than one description \$3.50 for each additional name or description 50 cents filing bond \$1.00 fil-

ing counter bond \$1.00 reissuance of writ or reinstatement of complaint \$1.00

Issuing any other writ of summons or capias docketing same and entering return of service not more than three names without complaint \$2.75 with complaint \$3.00 and for each additional name 25 cents

Issuing every writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description \$3.50 and for each additional name or description 50 cents

Issuing and docketing every writ of foreign attachment and entering return of service not more than three names \$3.50 and for each additional name 50 cents

Entering any other amicable action filing papers and making docket entries not more than three names \$3.00 and for each additional name 50 cents

Issuing every writ of certiorari docketing same not more than three names \$3.50 and for each additional name 50 cents

Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names \$3.00 and for each additional name 50 cents

Petition or complaint in divorce docketing and filing papers issuance of subpoena and entering return of service \$6.00 alias subpoena \$1.00 order of publication \$1.00 application for maintenance or alimony \$1.00 filing and docketing rule for and final decree \$1.00 entering decree in minute book and in index docket \$1.00 certificate of divorce under seal \$3.00 receiving disbursing and accounting for deposit in divorce \$1.00

Issuing writ of scire facia or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate to the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill discovery \$3.00

Filing and docketing any bill in equity including bills to perpetuate testimony rules to appear and answer and order of court thereon not more than three names \$4.50 and for each additional name 50 cents

Issuing injunction writ \$2.00

Filing and docketing appearance or answer or preliminary objection or other pleading (not a complaint) or petition in an action at law or equity (excluding divorce) each 50 cents

Issuing venire each case upon the jury trial list to be paid by the county \$1.00

Suggesting death or a party diminution record or amending record 50 cents

Framing an issue in any action \$2.00

Entering motions 50 cents

Filing and docketing all orders of court matters originating with the court to be paid by the county \$3.50

Filing praesipe for jury trial list 50 cents

Placing case upon the argument list 50 cents

All services during the trial of a cause including swearing of jury and witnesses per day or fraction thereof \$4.00

All services per day or fraction thereof in court to be paid by the county per clerk \$10.00

Administering and filing oaths of all county employes including deputies and clerks to be paid by the county per oath \$1.00

Filing and entering agreement to referee to referee including entering judgment not more than three names \$3.00 for each additional name 50 cents

Entering rule of reference appointment of arbitrators and service incident thereto \$3.50

Filing and entering report of arbitrators including judgment docket entry not more than three names \$2.00 for each additional name 50 cents

Filing and docketing appeal from award of arbitrators \$2.00

Entering discontinuance of suit \$2.00

Entering judgment on bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an answer or affidavit of defense or sufficient answer or affidavit of defense on verdict demurrer

including judgment index entry not more than three names \$2.00 for each additional name 50 cents

For each affidavit to a Sheriff's Return 50 cents

Entering satisfaction of judgment 50 cents

Entry of assignment or release of lien or judgment each property \$1.00

For each property description additional not otherwise provided for 50 cents

Each attestation affirmation acknowledgment or affidavit not otherwise provided for 50 cents

Filing and entering appeal from report of auditors \$3.00

Filing and entering appointments made by the court to be paid by the county \$5.00 certificate of appointment to be paid by the county 50 cents

Filing bonds and oaths of Justice of the Peace to be paid by the county \$1.00

Entry of bail-piece \$1.50

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger copartnership or dissolution of partnership \$5.00

Certifying copy of any paper first page \$1.00 each additional page 50 cents

Entering docketing and making return of certiorari to Supreme or Superior Court filing bond and filing and docketing remittitur therefrom \$5.00

Commission to take testimony entering return and notifying each party of return of commission \$2.50

Writ of habeas corpus and all proceedings \$5.00 to be paid by the county where proceeding is for release of prisoner

Docketing decree nisi adjudications decisions and final orders and decrees (except in divorce) \$2.00 if accompanied by opinion of court \$3.00

Docketing other orders of court (unless otherwise specified herein) in cases pending \$2.00 If accompanied by court opinion \$3.00

Drawing and delivering attested certificates of appointment in cases commenced or pending (except divorce) each \$1.00 per page in matters originating with the court to be paid by the county each \$1.00 per page

Administering oaths to court appointees to be paid by county each 50 cents

Certifying payroll of tipstaves to be paid by the county each certificate 50 cents

Entering indexing and docketing judgments against tax collectors to be paid by the county each \$2.00

Entering and docketing exemplification of record not more than three names \$2.50 and for each additional name 50 cents

Entering and filing mechanic's lien one description and not more than three names \$3.00 and for each additional description or name 50 cents

Entering and filing building agreement one description not more than three names \$3.00 and for each additional description or name 50 cents

Drawing special jury striking same and copies to parties \$1.00

Certificate for pay for jurors whether serving or not to be paid by the county 50 cents

Rule for interrogatories and entering return of service each garnishee \$1.00

Reporting election of Justices of the Peace to the Secretary of the Commonwealth to be paid by the county each \$1.00

Filing and docketing petition for the appointment of a guardian or commission de lunatico and for inquisition in re habitual drunkard for the appointment of a committee in insolvency for sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon and filing and docketing all petitions not otherwise herein specified \$3.50

Issuing commission in lunacy and entering return \$1.00

Writ to sheriff in lunacy \$1.00

Entering confirmation of inquisition and appointment of committee in lunacy \$1.00

All services on sale of lunatic's habitual drunkard's estate including filing account of committee \$2.50

Filing each subsequent account \$1.00

Filing and docketing other documents in said proceedings each 50 cents

Entry of motion and order of court for admission of attorney-at-law and certificate thereof to be paid by the county \$5.00

Issuing attachment for contempt and motion therefor to be paid by the county each \$2.00

Certificate of notary public 50 cents

Administering oath other than on the trial of a case 50 cents

Posting and filing disbarments of attorneys of all county and state courts to be paid by the county \$1.00

Filing power of attorney to satisfy judgment 50 cents

Issuing every writ alias or pluries writ of fieri facias \$1.50

Issuing every writ alias or pluries writ of venditioni exponas levari facias capias ad satisfaciendum one description \$1.50 and for each additional description 50 cents

Preparing and posting civil trial list and argument list to be paid by the county each \$5.00

Entering revival of judgment by agreement \$2.50

Entering testatum fi fa ca sa or vend ex \$1.50

Issuing testatum fi fa ca sa or vend ex \$1.50

Filing and docketing petition or proceeding for a sheriff's or other inter-pleader including orders of court thereon \$3.50

Entering transcript of judgment or appeal from justice of the peace or magistrate including docket entries \$2.00

Filing visitation reports to be paid by the county each \$3.00

Entering satisfaction upon judgment and locality indexes each entry 50 cents

Entering appointments of guardian ad litem \$1.00

Filing and docketing petition for the appointment of viewers filing report and confirmation \$5.00

Proclamation \$1.50

Filing and docketing mental health petitions to be paid by the county \$5.00

Registration of student-at-law physician veterinarian or dentist \$1.00

Taxing bill of costs 50 cents

Filing exceptions and rule to re-tax bill of costs and filing report thereon \$1.00

Re-taxing bill of costs each hour \$1.50

Taking testimony thereon per one hundred words 50 cents

Taking a recognizance 50 cents

Filing and docketing petition and report of Trustee's Sale to be paid by the county \$10.00

Entering a rule to take depositions \$1.00

Issuing a subpoena under seal 50 cents

Filing and docketing petition for sale of real estate by county commissioners to be paid by the county \$7.50

Making search for liens in judgment docket index for five years last past \$1.00

Making search in any other docket for five years last past 50 cents

Each reference found or each reference cited 25 cents

Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto \$1.00

Filing and docketing suggestions sur municipal lien \$1.00

Filing and docketing petition for registration of an elector to be paid by the county \$5.00

Receiving and distributing money paid into court for each dollar under five hundred dollars 2 cents and for each dollar exceeding five hundred dollars 1 cent

Recording any document required by law to be recorded per one hundred words 50 cents

Drawing filing and docketing bond and justification thereon including seal and oath \$2.00

Filing petition for appointment of overseers and certificate to be paid by the county each \$5.00

Filing and docketing account or report of assignee auditors trustees committee sequestrator master or examiner \$3.00

Transcribing report per one hundred words 50 cents
Filing docketing and all proceedings in assignment for the benefit of credits up to and including bond and justification of assignee and surety \$5.00

Filing and docketing appeal from award of jury of view \$2.00

Issuing and docketing order of sale in partition \$2.50

Certifying judgments to county commissioners for personal property tax purposes to be paid by the county 50 cents each

Indexing suit against a decedent's estate 50 cents

Filing and indexing sheriff's certificate of attachment upon real estate \$1.00

Certificate to exemplification of record under act of Congress \$1.00

Certifying satisfaction to county commissioner's office for personal property tax purposes to be paid by the county 50 cents each

Entering transcript from the orphans' court of amount due by executors or guardians each entry \$3.00

Certifying assignments of judgments to county commissioner's office for personal property tax purposes to be paid by the county 50 cents each

Entry of precept from the orphans' court \$3.00

Each entry upon locality index 50 cents

Administering and filing oaths to members of Election Computation Boards to be paid by the county each 50 cents

Administering and filing oaths to Jury Commissioners 50 cents to be paid by county

Filing controllers' report to be paid by the county \$10.00

Filing War Veterans' Peddler's License to be paid by the county \$5.00

Serving and returning decree nisi \$3.00

Filing any paper not above specified 50 cents

The fee for services not herein specially provided for shall be the same as for similar services Provided That the fees hereinbefore enumerated shall be exclusive of any state tax now levied or that may hereafter be levied

Section 2 The prothonotary shall not be required to issue any writ docket any order of court or enter any judgment thereon or perform any service whatsoever until the requisite fee is paid

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr.	Frazier,	Lord,	Taylor,
Becker,	Geltz,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Margie,	Wagner,
Carr,	Heyburn,	Rahausen,	Watson,
Chapman,	Holland,	Rosenfeld,	Wilson,
Crider,	Homsher,	Ruth,	Wolfe,
Crowe,	Jaspan,	Scarlett,	Wood, L. H.,
Dent,	Kephart,	Snowden,	Wood, T. N.,
DiSilvestro,	Klein,	Stevenson,	Woodring,
Doehla,	Lane,	Stiefel,	Walker,
Donlan,	Leader,	Tallman,	Presiding Officer
Farrell,	Letzler,	Tarr,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 535, as follows:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand nine of Article Ten of the Act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the Act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 1009 Limitation upon Investing in Shares

A Except as otherwise specifically authorized by this act a bank or a bank and trust company shall not purchase or invest in the shares of capital of any corporation whatsoever

B Any bank or bank and trust company may purchase or invest in the shares of a Federal Reserve Bank a national banking association located within this Commonwealth or any bank bank and trust company or trust company incorporated under the laws of this Commonwealth or of any corporation organized for the purpose of conducting a safe deposit business

C Any bank and trust company may in exchange or in consideration for such assets and property as comprised its title insurance business take and hold the shares of any corporation organized and existing under the laws of this Commonwealth for the purpose of conducting a

title insurance business and in addition thereto purchase additional shares in the same company provided that the total amount invested in such corporation shall not exceed a sum equal to ten per centum of the capital and surplus of such bank and trust company but in no event in excess of twice the minimum amount of capital and paid in surplus required for the incorporation of such company under the laws of this Commonwealth and provided that such shares shall not except with the written approval of the department be entered upon its books at an amount greater than the amount at which the assets and property which comprised its title insurance business were theretofore entered upon its books [.] plus the amount paid for any additional shares acquired as herein permitted Any bank and trust company may hold share of such company received by it as a dividend payable in shares of such company

D This section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation in accordance with the provisions of this act as security for loans granted by such bank or bank and trust company

Section 2 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 576, as follows:

An Act fixing the fees of the recorder of deeds in counties of the sixth seventh and eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the recorder of deeds in counties of the sixth seventh and eighth class shall be as follows

For recording and exemplifying deeds mortgages and other writing for every five words one cent The minimum rate for recording same shall be two dollars and fifty cents

For indexing deeds mortgages and other writings with more than four names fifteen cents extra for each additional name

For abstracting first description or parcel of land twenty cents for each additional description or parcel fifteen cents extra

For entering satisfactions assignments partial payments

releases extensions and postponements on margin of mortgage record fifty cents

For taking acknowledgements fifty cents for first name and twenty-five cents for each additional name

For certifying deeds mortgages assignments and satisfaction of record to county commissioners fifty cents

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 All fees shall be exclusive of any State tax now provided for by law and said fees and State tax shall be payable in advance

Section 3 Section eight of the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 3) entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth" and any and all other acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 651, as follows:

An Act to further amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing that the right to participate in the police pension fund after having been established shall not be forfeited

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-seventh day of April one thousand nine hundred fort. three (P. L. 89) is hereby further amended to read as follows

Section 4304 [Causes for Forfeiture of Inalienable Rights in Fund Whenever any person shall become entitled to receive an allowance from the police pension fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate partici-

pation therein upon the basis upon which he first became entitled thereto [save from one or more of the following causes that is to say conviction of a crime or misdemeanor becoming an habitual drunkard or failing to comply with some general regulation relating to the management of said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the pension fund after such due notice and hearing as shall be prescribed by ordinance]

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 654, as follows:

An Act to permit employes of counties cities boroughs towns and townships to accumulate annual sick leave in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any officer or employe of any county city borough town or township entitled by any law ordinance or regulation to an annual sick leave without diminution of their salary or compensation may accumulate such sick leaves for a period not to exceed three years

Each such political subdivision shall have the power to establish and enforce reasonable regulations as to the use of such accumulated sick leaves for the purpose of preventing the abuse thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS RECOMMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 657, on third reading, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," transferring contributors from the one one-hundred-twentieth class to the one one-hundredth class.

be recommitted to the Committee on Local Government.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 663, on third reading, entitled:

An Act to fix the salaries of register of wills in counties of the second to sixth class inclusive.

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 674, as follows:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the

fourth class imposing certain charges on counties and fixing penalties" as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 789) is hereby further amended to read as follows

Section 11 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the service of employees paid directly by such county official out of such fees Full credit shall also be given for each year of service of a contributor who was a per diem employee of the county for a period of at least five years prior to the time the system became effective and who averaged at least two hundred days of employment in each of such years As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the board

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Cridder,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 676, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 353 No. 146) is hereby further amended by adding after section nineteen point two a new section to read as follows

Section 19.3 Reinstatement on Return from Military Service Any contributor who entered into active military service shall upon return to county employment be permitted to pay into the retirement fund an amount which shall be equal to the salary deductions multiplied by the number of months during which he was absent from county employment in active military service either in a lump sum or by installments but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age A contributor who complies with the foregoing provisions of this section shall be entitled to all the benefits to which he may have been entitled as fully as though such county employee had continued in county employment during the period of such active military service.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Cridder,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 706, on third reading, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL
PASSAGE

Agreeably to order

The Senate proceeded to the third reading and consideration of House Bill No. 708, as follows:

An Act to further amend clause III of section hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 341) is hereby further amend to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have over

* * * * *

III Contracts and Tax Levy for Fire Purposes On the petition of the surface property owners of a majority of the lineal feet frontage along any highways streets roads and alleys or portion thereof in any village within the township to enter into contract with water companies for the placing of fire hydrants to water mains maintaining reassures approved by the fire insurance underwriters long said highways streets roads and alleys or to provide or or acquire a water supply system equipped to supply efficient water for the protection of property from fire

The moneys necessary for acquiring any such water system may be obtained by proceeding in accordance with either of the methods set forth in paragraphs A and B as follows

A The supervisors shall levy for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highways streets roads and alleys and upon property within five hundred feet of any fire hydrant in the district benefited thereby based upon the assessment for county purposes No such tax shall be levied against any farm land or land used as an aviation field or against other property in the district not benefited thereby Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the road tax the township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make report to the auditors of the township annually

The B township supervisors shall annually assess or cause to be assessed the cost and expense for the acquisition of a water system for the maintenance of such fire hydrants and for the purchase of hose et cetera by an equal assessment on all property abutting upon said highways streets roads and alleys within five hundred (500) feet of any fire hydrant in the district benefited thereby in proportion to the number of feet the said property fronts any street highway road or alley upon which a water main is laid or within five hundred (500) feet of any fire hydrant on such street highway road or alley The supervisors may provide for an equitable reduction from the frontage of lots it intersects or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up

sections either tilled or untilled shall not be deemed to be farm lands All such assessments for fire protection shall be filed with the township tax collector who shall give thirty (30) days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax If the assessments or any of them remain unpaid at the expiration of not exceeding ninety (90) days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five percent as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment for the same year all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay the same only upon orders signed by the chairman of the township supervisors attested by the secretary The tax collector and the treasurer shall make a report to the auditors of the township annually

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahouser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homshef,	Ruth,	Willson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DISilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Taliman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to reenact sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803 Act No 588) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" to make the same applicable to the annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and repealing inconsistent laws excepting as to proceedings now pending

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one to nine inclusive of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2803 Act No 588) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" are hereby re-enacted to read as follows

Section 1 Be it enacted &c that whenever electors equal to at least ten per centum of the highest vote cast for any office in any township of the first class contiguous to a city or borough at the last preceding general election or whenever ten per centum of the qualified electors residing within any part of a township of the first class contiguous to a city or borough shall petition the council of such city or borough for the annexation of the township of the first class or part thereof to the contiguous city or borough and for a referendum on the question of such annexation the council shall cause a question to be submitted at the primary election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners of the county or counties in which any part of the city or borough or the township of the first class is located for submission of such question on the ballot or on voting machines at such election both in such township and in the city or borough to which annexation is desired in the manner provided by the election laws of this Commonwealth

Such question shall be in the following form

Do you favor the annexation of the township of (or part of the township briefly described) to the city (or borough) of	YES	
	NO	

If a majority of the persons voting on such question in the entire township and a majority of the persons voting on such question in the city or borough shall vote "yes" then the township of the first class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the city or borough

All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings and all petitions for the annexation of a part of a township of the first class shall include a description of the part of the township sought to be annexed

Section 2 Until changed in the manner provided by law the township of the first class or part thereof if not divided into wards shall constitute a separate new ward of the enlarged city or of the enlarged borough if such borough is at the time divided into wards and if the township or part of a township at the time of the annexation was divided into wards then each ward of the township or part of a township shall constitute a separate new ward of the enlarged city or borough (if divided into wards) and shall be numbered by the council of the city or borough consecutively beginning with the next highest number after the existing highest numbered ward of the city or borough until changed in the manner provided by law all election districts in the township of the first class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged city or borough all election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 3 In the case of the annexation of an entire township of the first class all the indebtedness of the township as well as the indebtedness of the city or borough to which the same is annexed shall be paid by the city or borough as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within

such enlarged city or borough all taxes thereafter levied therefor shall be uniform throughout the territorial limits of the enlarged city or borough

All of the public property owned by any such township shall become and remain the public property of the city or borough to which it is annexed

Section 4 Where any part of any township of the first class is annexed to any city or borough the township officers of that part of the township not annexed and the city or borough council shall make a just and proper adjustment and apportionment of all public property owned by the township at the time of annexation both real and personal including funds as well as of indebtedness if any to and between the township and the city or borough in making such adjustment and apportionment of the property and indebtedness the township and the city or borough shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed the adjustment and apportionment as made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions in the county in which said city is located

Section 5 In case the council of the city or borough and the township authorities cannot make such amicable apportionment and adjustment of their property and indebtedness in compliance with this act within six months after any such annexation then the council or any officer of the township may present a petition to the court of quarter sessions of the county in which the city or borough is located whereupon the court shall appoint three disinterested commissioners residents and taxpayers of the county not residing in the city or borough nor in the township who after hearing notice of which shall be given to the city or borough and township interested as the court shall direct shall make report to the court making an apportionment and adjustment of all the property as well as indebtedness if any to and between the city or borough and the township said report to state the amount if any that shall be due and payable from the city or borough to the township or from the township to the city or borough as well as the amount of indebtedness if any that shall be assumed by the city or borough or by the township or both of them

Section 6 The commissioners shall give the city or borough and the township at least five days notice of the filing of their report and unless exceptions are filed there to by the city or borough or by the township within thirty days after filing thereof the same shall be confirmed by the court absolutely and any sum awarded by said report to the city or borough or to the township shall be a legal and valid claim in its favor against the city or borough or township charged therewith and the amount of debt if any apportioned to any city or borough or township shall be a legal and valid claim against such city or borough or township charged therewith and any property real or personal given and adjudged to the city or borough or the township shall become and be the property of the city or borough or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any city or borough or against any township may be collected in the same manner as a judgment is collected against any city or borough or township such commissioners shall be allowed five dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses all costs and expenses of such proceedings shall be apportioned by the court to and between the city or borough and the township as it shall deem proper

In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony therein if deemed advisable and the decision of the court thereon shall be final and binding on the several cities boroughs and townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases

Section 7 In cases in which such cities boroughs or townships of the first class are situated in two or more counties the court of quarter sessions of the county in which the city or borough is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such case the court shall appoint the commissioners hereinbefore provided for from both or all of such counties

Section 8 When an election is held on the question of annexation under the provisions of this act and the township of the first class proposed to be annexed or in which the territory proposed to be annexed is located votes against such annexation the question of such annexation shall not again be voted upon for a period of two years from the date of such election

Section 9 All proceedings for the annexation of a township of the first class or a part thereof to any city or borough under the provisions of any existing law that are pending and not finally disposed of on the effective date of this act shall be disposed of and determined under the provisions of the act under which they were brought and all proceedings for the annexation of any township of the first class or part thereof to any city or borough shall hereafter be had only under the provisions of this act

Section 2 The act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" and all other acts and parts of act inconsistent herewith are hereby repealed excepting as to proceedings now pending

Section 3 The provisions of this act shall become effective immediately upon final enactment excepting as to proceedings now pending

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crisder,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DISilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on third reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities except in certain cases to provide annuity contracts or to establish a Fiermen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDING OFFICER. Is ther objection? The Chair heras none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 751, as follows:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring periodic revision of standards of the State Council of Education with reference to school buildings providing for advisory committees in connection therewith and making the type of heating and ventilating systems optional with boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provision by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2560) is hereby further amended to read as follows

Section 618 All public school buildings hereafter built or rebuilt in school districts of the second third and fourth classes shall conform to standards established by the State Council of Education as to light area floor space and cubical contents The council shall immediately after the effective date of these amendments and at least once during each period of five years thereafter completely review and revise such standards in the light of improved facilities equipment and methods and in the light of changing philosophies of classroom efficiency and with a view to utilizing natural advantages wherever available Such standards shall permit of opportunity for individuality in design and equipment to meet the requirements and possibilities of each public school building to be built or rebuilt

Every public school building of ten classrooms or more hereafter erected shall contain a room to be known as the health room which shall be not less than twenty-one feet in length and which shall be furnished and equipped for use as quarters in which regular school medical in-

spectations may be given and as a first air room for pupils requiring medical attention while attending classes

Section 2 Section six hundred twenty-one of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 621 The State Council of Education shall establish proper standards for heating and ventilating every school building hereafter erected or reconstructed in school districts of the second third and fourth classes and shall prescribe such rules and regulations as shall be necessary to make such standards effective Provided That the board of school directors shall in each case have the power to determine the type of heating and ventilating system to be used

The State Council of Education shall immediately after the effective date of these amendments and at least once during each period of five years thereafter completely review and revise such standards in the light of improved facilities equipment and methods and in the light of changing philosophies of classroom efficiency and with a view to utilizing natural advantages wherever available

Section 3 Said act is hereby amended by adding after section six hundred twenty-one thereof a new section to read as follows

Section 621.1 For the purpose of advising the State Council of Education in making revisions of standards required by these amendments the Governor shall immediately before the time for making any revision appoint an advisory committee consisting of fifteen members five of whom shall be registered architects experienced in designing school buildings three of whom shall be school administrators and three of whom shall be educators The members of such committees shall serve without compensation but shall be reimbursed for their necessary expenses actually incurred in the performance of their duties

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 813, as follows:

An Act to further amend subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building

and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and B of section seven hundred seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 467) is hereby further amended to read as follows

Section 707 Filing of Articles of Amendments Payment of Fees Approval by Department of State A The articles of amendment [,] and the proof of publication of the advertisement required by this act [and a certificate or certificates from the proper department or departments as required by law] shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [,] and such proof of publication [and such certificate or certificates herein required to be delivered therewith] to determine whether they contain all the information and are in the form required by this act [After all the fees taxes and other charges have been paid as required by law except for the costs of any examinations made by the Department of Banking pursuant to the provisions of this act to determine whether to approve the amendment or any other charges made by the Department of Banking the] The Department of State shall if the articles of amendment and the proof of publication contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the intention of the association to file the articles endorse its approval thereon and shall forthwith transmit them to the Department of Banking

C * * * * *
Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,

Doehla, Donlan, Farrell,	Lane, Leader, Letzler.	Stiefel, Tallman,	Woodring, Walker, Presiding Officer
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NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 814, as follows:

An Act to further amend subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations of private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" eliminating requirement that certificates of clearance be filed with articles of amendment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and B of section eight hundred seven of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 469) is hereby further amended to read as follows

Section 807 Filing of Articles of Amendment Payment of Fees Approval by Department of State A The articles of amendment [,] and the proof of publication of the advertisement required by this act [,] and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all taxes bonus and charges as required by law except fees for examinations by the Department of Banking herein provided,] shall be delivered to the Department of State

B The Department of State shall examine such articles of amendment [,] and such proof of publication [,] and such certificate or certificates] to determine whether they contain all the information and are in the form required by this act [After all the bonus fees taxes and other charges have been paid as required by law except for the costs of any examination made by the Department of Banking pursuant to the provisions or any other charges made by the Department of Banking the] The Department of State shall if the articles of amendment [,] and the proof of publication [and the certificate or certificates as herein required evidencing payment of all taxes bonus and charges] [the articles of amendment required by this act endorse its approval] contain the information and are in the form required by this act forthwith but not prior to the day specified in the advertisement of the articles of amendment required by this act endorse it approval thereon and shall forthwith transmit them to the Department of Banking

C * * * * *

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMENDED

Mr. CARR. Mr. President, I move that Senate Bill No. 819, on third reading, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, requiring bills to be considered on three different days in each House.

be recommended to the Committee on Constitutional Changes and Federal Relations.

Mr. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CARR. Mr. President, I bowed my head to the inevitable as I made the motion to recommit Senate Bill 819.

Before presenting this bill I consulted with all the mem-

bers throughout the Chamber, with but one exception, and found them almost unanimously in favor of legislation of this kind, which was designed for the purpose of stopping the thing called a filibuster by eliminating the provision which requires the reading at length of all bills on three separate occasions, which has been a club used in the hands of certain individuals from time to time for the purpose of clubbing the majority into doing what they wanted done, but that same threat was used again and the majority again have bowed their heads in humble submission to the cudgeling of one individual because they want to get out of here, they want to get on home, they are tired of being here, and so I have to concur in an action which was requested by a majority of my colleagues here. In honor of the occasion and as a requiem to the bill for this session I have composed a little bit of verse, which reads as follows:

Samson Lives Again

In days of old there lived a man
Of mighty strength of arm,
Who did a lot of mighty deeds
And also lots of harm.
This Samson killed the Philistines
With the jawbone of an ass,
And, strange as it may seem to be,
It now has come to pass;
We struggle and we labor
And we do the best we can,
But we kill this legislation
With the jawbone of a man.

Mr. DENT. Mr. President, I just want to say that sometimes in haste we may do things we will regret later and I believe the passage of any legislation because of any inconvenience that it may cause us may destroy the purposes that were in the minds of those who set up this legislative action. When you consider that the reading of bills upon three separate occasions has as its basis the whole idea that by the time the bills are presented and read the news can get out to the citizens of the Commonwealth and legislation that may affect the common welfare can be recognized by the citizenry and therefor the safeguard is contained within the Constitution to keep some legislative group from taking undue advantage and passing legislation in haste that may destroy some of the freedoms that people enjoy.

And so the only reason that we oppose this resolution at this time is because we feel that the majority may have their tempers shortened a little by recent incidents in the Senate and therefore have not thought out the full consequences of their action in presenting this type of legislation.

The use of this weapon—it has been called a weapon—in times when a majority may seek to steamroller a minority, gives a double protection to the people that this type of government can operate and function for the general welfare, because the minority in all instances, regardless of what party happens to be in the minority, is always acting as a brake upon the railroading of legislation by an enthusiastic majority and therefore, in complete harmony with the suggestion of the gentleman from Butler, we ask that this bill go back to committee and rest in peace, or pieces.

And the question recurring,
Will the Senate agree to the motion?
The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 834, on third reading, entitled:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employes of the office of the collector of taxes to become members of the city retirement system under certain conditions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL
PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 834, as follows:

An Act to add section five point one to the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of any imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" permitting employes of the office of the collector of taxes to become members of the city retirement system under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643 No. 510) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" is hereby amended by adding after section five a new section to read as follows

Section 5.1 All persons now or hereafter employed in the office of the collector of taxes shall be permitted to join any existing retirement system in effect in the city of the second class A in which such office is located if the city council and the board of school directors shall each agree to contribute one-half and do contribute to the retirement fund established by the Act of Assembly under which such retirement system was established from time to time one-half each the moneys required to build up the reserves necessary for the payment of the cities annuity of such employes upon retirement

Upon joining any such retirement system the employes of the office of the collector of taxes shall enjoy all the rights and be subject to all the requirements and duties as provided by the Act of Assembly under which such retirement system operates

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Bart,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doebla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 852, on third reading, entitled:

An Act to further amend the act approved the twenty-second days of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I have asked that House Bill 852 go over in its order because there are certain examinations to be made of its contents and I do not want to take the time of the Senate at this time to reveal what there is wrong with it.

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 853, on third reading, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 855, on third reading, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirtyone (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 866, on third reading, entitled:

An Act relating to the regulation control and stabilization of rents in housing accommodations during an emergency creating a temporary state housing rent commission prescribing its powers and duties and making an appropriation

be recommitted to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I think maybe, if the gentleman from Butler wants a long speech, I will not accommodate him. When I do things, make statements, they are not made in anger but I think a statement should certainly be made with respect to this constitutional provision.

To get back to this bill, Mr. President, when we have constitutional provisions, I believe we should follow the mandate of the people, which we did with respect to the bill which was just recommitted to committee.

However, Mr. President, I wish to say that we have failed to follow the mandate of the people with respect to two other provisions of the Constitution, one being with respect to congressional reapportionment and I think the other—I have forgotten it offhand—legislative and senatorial re-apportionment bills and also with respect to—I just thought of it—with respect to city charters.

Article 15 of the Constitution of the state of Pennsylvania was a mandate that the people enacted in 1922, giving the people the right to declare for themselves what government they wanted. We have also ignored that. If not failing to obey the mandate of the Constitution, we are doing the wrong thing, I say we are definitely doing the

wrong thing. When I ask that these provisions be carried out I am doing my duty as a citizen and I am certainly doing my duty as a Senator of the state of Pennsylvania, representing my group. We have definitely failed our people in three respects, in violating the Constitution as I have mentioned, in those three instances, and hereafter I intend to carry out the provisions of the Constitution, with the exception of the particular provision that the gentleman from Butler attempted to eliminate. However, Mr. President, I will not go any further with respect to that but with respect to the bill on rent control, I believe yesterday a motion was made to re-commit that bill. I am very sorry, Mr. President and gentleman of the Senate, that is being done. We can appreciate what is taking place today in our states and I say if rent control is left up to Congress, I anticipate chaos, disorder and possible revolution. I predict by our failure to act we will have the blood of many people on our hands. I take it that Governor Duff has made the declaration that he is in favor of rent control but apparently his declaration or proposal means next to nothing and our people undoubtedly mean less to us because we are not doing their bidding notwithstanding that we have been elected to do it.

Gentlemen, I say in all sincerity you will be called back into extra session, at a cost of hundreds of thousands of dollars, to enact rent control legislation.

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—30

Becker,	Farrell,	Mallery,	Wade,
Berger,	Frazier,	Scarlett,	Wagner,
Blass,	Geltz,	Snowden,	Watson,
Carr,	Hare,	Stevenson,	Willson,
Chapman,	Heyburn,	Tallman,	Wolfe,
Crider,	Homsher,	Taylor,	Wood, L. H.,
Crowe,	Letzler,	Tyler,	Walker,
Doehla,	Lord,		Presiding Officer

NAYS—18

Barr,	Holland,	Margie,	Stiefel,
Dent,	Jaspan,	Rahausen,	Tarr,
DiSilvestro,	Kephart,	Rosenfeld,	Wood, T. N.,
Donlan,	Klein,	Ruth,	Woodring,
Haluska,	Leader,		

So the question was determined in the affirmative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 909, as follows:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of the deputies clerks and assistants of tax collectors in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institutions district cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the deputies clerk and assistants of the city treasurer as tax collector as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 925, as follows:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the fiscal biennium beginning June first one thousand nine hundred forty-seven for the payment of salaries of employes the purchase of supplies and equipment and the payment of all other expenses involved in establishing and conducting a service unit to be available to all departments boards and commissions for photographing correspondence records reports and papers of every description which are to be preserved for study filing systems and preparing manuals and filing procedures and for recommending to the Governor the proper use of space by the departments boards and commissions

Section 2 Every department board and commission for which photographic work is being done shall assign an employe to be present while such photographing is being done to verify that all papers have been recorded on the film Upon receipt of the developed film and determination of its clarity the original papers shall be destroyed with the approval of the Executive Board as provided by the Administrative Code of 1929 as amended

Section 3 The Department of Property and Supplies shall store film at the request of any department board or commission with the Governor's approval or it may deliver the film to the department board or commission if it is satisfied that the department board or commission has proper facilities for such storage

Section 4 The Department of Property and Supplies upon request of any department board or commission or when so directed by the Governor shall study the filing system or the use of space by such department board or commission and make recommendations which shall be followed as the Governor may direct

Section 5 The cost of services performed by the Department of Property and Supplies under this act in such amount as may be approved by the Executive Board shall be billed to and paid by the department board or commission for which the service was rendered Receipts by the Department of Property and Supplies under this section shall be paid into the General Fund and credited to the appropriation made by section one of this act Such receipts are hereby appropriated for the purposes specified in section one

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 933, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred eighteen of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2518 Notice to Taxables of Assessment Appeals When the time or time and place for the meeting or meetings of the board of revision and appeals shall have been fixed the assessor shall give or cause to be given at

least five days' printed or written notice to each taxable of the city whose last previous assessment has been increased or diminished of the amount or sum for which such taxable stands rated in any triennial assessment also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any intervening year for any cause whatsoever together with the time and place of hearing appeals Such notice may be served personally or by posting on the premises or by mailing the same to the last known address of the taxable Any person dissatisfied or aggrieved by the assessment or any change thereof made by the assessor may appeal to the said board of revision and appeal and be heard at the time and place fixed in the notice

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer an amendment to the Chair to be read for the information of the Members of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Sec. 2518) page 8, lines 2, and 3, by placing a bracket before the word "whose" in line 2, and after the word "diminished" in line 3.

On the question,

Will the Senate agree to the amendment?

Mr. WOODRING. Mr. President, I move the adoption of the amendment.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President and members of the Senate, House Bill 933 becomes, in its present form, a very suspicious piece of legislation; it comes from the House with six pages of reasonable material and all six pages have been stricken out, word for word, none of them now remain, and in lieu thereof there is a very simple amendment added, depriving taxables of any notice of assessment in cases where the last previous assessment has not been increased or decreased.

Mr. President, there are many times when taxables have a right to appeal, even though there has been no increase or decrease in the last previous assessment. It is entirely conceivable, and it happens every day of our lives, that the real estate values in the various municipalities of the state change; it happens every day that the valuation on rent or occupations change but not on the assessment, where in neither of those instances would it ever appear that there had been an increase or decrease in assessment, and therefore the taxable is not going to get notice of his assessment and he is not going to be able to avail himself of the right to appeal.

This is a very vicious piece of legislation in its present form. It is not conceivable to me that the Governor will ever sign such a bill and I therefore am going on record as voting against it.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Becker,	Farrell,	Mahany,	Wagner,
Berger,	Frazier,	Mallery,	Watson,
Blass,	Geltz,	Scarlett,	Wilson,
Carr,	Hare,	Snowden,	Wolfe,
Chapman,	Heyburn,	Stevenson,	Wood, L. H.,
Crider,	Homsher,	Tallman,	Wood, T. N.,
Crowe,	Kephart,	Taylor,	Walker,
Doehla,	Letzler,	Tyler,	Presiding Officer
Donlan,	Lord,	Wade,	

NAYS—16.

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahausser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1013, on third reading, entitled:

A Joint resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania,

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1014, as follows:

An Act to further amend the fifth paragraph of section three hundred five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" permitting for a limited period of time wines to be sold without having affixed to the package the official seal of the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fifth paragraph of section three hundred

five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transaction in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 403) is hereby further amended to read as follows

Section 305 Sales by Pennsylvania Liquor Stores

No liquor or alcohol shall be sold to any purchaser except in a package bearing the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store Provided however That in the case of wines no such official seal of the board shall be required to be affixed to the package for a period of two years commencing the first day of August one thousand nine hundred forty-seven No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

And said bill having been read at length the third time, and agreed to,

On the question;

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Taylor,
Becker,	Haluska,	Mahany,	Tyler,
Berger,	Hare,	Mallery,	Wade,
Blass,	Heyburn,	Margle,	Wagner,
Chapman,	Holland,	Rahausen,	Watson,
Cridger,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,	Tarr,	Presiding Officer
Frazier,			

NAYS—2.

Carr, Rosenfeld,

A majority of all the Senators having voted "aye" the question of determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1017, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident

real estate brokers and real estate salesmen and their business' by further defining real estate brokers and real estate salesmen and further regulating the licensing and supervision of such persons and their business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (c) of section two subsections (b) and (c) of section seven and subsections (a) and (e) of section ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business' as amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) are hereby further amended to read as follows

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include [all persons copartnerships associations and corporations foreign and domestic the principal business of whom or which is the purchasing selling renting trading or exchanging of real estate whether for another or as purchaser seller or owner of such real estate and] all real estate auctioneers and real estate appraisers [and all persons who negotiate or offer for sale any mortgage or other security for which real estate is the collateral] as well as all managers of office buildings apartment buildings and other buildings and persons employed by the owners of such buildings banking institutions and trust companies for the foregoing purposes

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them [unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property] nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where [only one transaction is involved and where] such letter of attorney is recorded

in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive office of any banking institution or trust company operating under the banking laws of Pennsylvania

Section 7

* * * * *

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the [department] commission shall require. The application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker. If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted. Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof. Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents (\$2.50) for each additional office or place of business. Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described. Provided That upon the filing of an application the commission may investigate the allegations therein contained and if upon investigation it finds such allegations untrue it may refuse to examine or license the applicant setting forth in writing its findings and the reasons for its refusal and furnishing a copy thereof to the applicant.

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter. All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the [department] commission

shall require. The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted. All such licenses shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described.

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the commission and prepared by the commission. The commission shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the commission shall prescribe. Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the day of the week upon which the examination shall be held. The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches. The examination for salesman's license shall be limited to [the common school branches] mathematics applicable to real estate business the Real Estate Brokers' License Act and ethical practices thereunder. Provided however That in event the license of any real estate broker or salesman shall be cancelled by the commission subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act. Provided further however That the commission may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State.

An individual who fails to pass the examination may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination [but not more than two successive temporary permits shall be issued to any individual]. Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of six months from the time such individual took the last examination.

Section 10 (a) The commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specially the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act.

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtain-

ing money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without any exclusive agency therefor or without the owner's consent

(9) Of failing to furnish voluntarily a copy of the agreement of sale to the buyer and the seller

(10) Of buying a property listed through a straw party with the intent of reselling to a buyer already secured thus making a profit in addition to the commission agreed upon with the owner listing the property

* * * * *

(e) The order or ruling of the commission in any such proceeding shall become of full force and effect upon the date fixed by the commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the commission as hereinbefore provided. If an appeal shall be so taken such an appeal shall act as supersedeas until ten (10) days from and after the date of the filing of the transcript by the commission in the court of common pleas of Dauphin County and notice thereof by it given to the licensee but not longer unless the said court of common pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the said court and its decision entered [within thirty (30) days] after the granting of such order of supersedeas. An appeal shall lie from the decision of the said court of common pleas to the Superior Court but no such appeal shall operate as a supersedeas unless made so by special order of the appellate court.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question of determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 1086, on third reading, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and

about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act to further amend section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one P. L. 708) entitled "An act relating to brokers and private bankers" by changing the times for filing returns and for payment of the tax due

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of May one thousand eight hundred sixty-one (P. L. 708) entitled "An act relating to brokers and private bankers" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 679) is hereby further amended to read as follows

Section 1 Be it enacted &c That every private banker in this Commonwealth shall on or before the [first Monday of December next] fifteen day of February one thousand nine hundred forty-eight and on or before the same date in each year thereafter make a written return under oath or affirmation to the department of Revenue of this Commonwealth in which return he shall exhibit and set forth the full amount of his gross receipts from commissions discounts abatements allowances and all other receipts arising from his business during the [year ending with the thirtieth day of November preceding the date of such annual return] thirteen-month period immediately preceding the first day of January one thousand nine hundred forty-eight in the return to be made February fifteenth one thousand nine hundred forty-eight and during the calendar year immediately preceding the return to be made February fifteenth each year thereafter and shall forthwith pay into the State Treasury through the Department of Revenue one per centum upon the aggregate amount of such gross receipts contained in such return for the use of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question of determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1108, as follows:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department and board commission and officer of the State government every political subdivision of the State and certain officers of such subdivision every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the time for filing returns and the payment of the tax due and in certain cases providing penalties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 719 Reports by Private Bankers and Payment

of Tax (a) Every private banker shall on or before the [first Monday of December] fifteenth day of February of each year make a return to the Department of Revenue setting forth the full amount of his gross receipts from commissions discounts abatements allowances and all other receipts arising from his business during the [year ending with the thirtieth day of November preceding the date of such return] thirteen-month period immediately the first day of January one thousand nine hundred forty-eight and during each calendar year immediately preceding such return thereafter Every such private banker at the time of making every return required by this section shall compute and pay to the department of tax due to the Commonwealth upon his gross receipts as required by law

Section 2 Section one thousand seven hundred two of said act as amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

Section 1702 Failure of Corporation Association Exchange or Person to Make Bonus or Tax Reports on Time If any corporation association exchange or person or the officer or officers of any corporation association or exchange shall neglect or refuse to furnish to the Department of Revenue within the time prescribed by law or any extension thereof granted by the Department of Revenue any bonus or tax report required by section seven hundred six seven hundred seven seven hundred eight seven hundred ten seven hundred thirteen seven hundred fourteen seven hundred sixteen seven hundred nineteen or seven hundred twenty of this act it shall be the duty of the Department of Revenue to add to the bonus or tax of such corporation association exchange or person for each and every tax period for which such report was not so furnished the following percentages which shall be collected with the bonus or tax in the usual manner of setting and collecting such bonus or tax

On the first one thousand dollars of bonus or tax ten per centum on the next four thousand dollars five per centum and on everything in excess of five thousand dollars one per centum

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question of determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1122, on third reading, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correction institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1185, as follows:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pensions for such employes and providing for the payment of the cost thereof" by extending the provisions of this act to elected and appointed officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts vocational school districts and institution districts to make contracts of life health hospitalization medical services and accident policies for the benefit of employes thereof and contracts for pension of such employes and providing for the payment of the cost thereof" as last amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 749) is hereby further amended to read as follows

Section 1 Be it enacted &c That the Commonwealth of Pennsylvania or any department or division thereof and any county city borough incorporated town township school district vocational school district or institution district may and are hereby specifically authorized to make contracts of insurance with any insurance with any insurance company or nonprofit hospitalization corporation or nonprofit medical service corporation authorized to transact business within the Commonwealth insuring its elected or appointed officers and employes or any class or classes thereof under a policy or policies of group insurance covering life health hospitalization medical service or accident insurance and may contract with any such company granting annuities or pensions for the pensioning of such employes and for such purposes may agree to pay part or all of the premiums or charges for carrying such contracts and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof

The roper officer agency board or commission of any of the above political divisions or subdivisions having authority eo enter into such contracts of insurance are hereby authorized enabled and permitted to deduct from the

officer's or employe's pay salary or compensation such part of the premium as is payable by the officer or employe and as may be so authorized by the officer or employe in writing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Becker,	Geltz,	Lord,	Tarr,
Berger,	Haluska,	Mahany,	Taylor,
Blass,	Hare,	Mallery,	Tyler,
Carr,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahausen,	Wagner,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Snowden,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Stiefel,	Walker,
Farrell,	Letzler,	Taliman,	Presiding Officer
Frazier,			

NAYS—2.

Barr, Woodring,

A majority of all the Senators having voted "aye" the question of determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1195, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police is hereby authorized to acquire by purchase or condemnation land with improvements thereon in Schuylkill County Pennsylvania suitable for use as a Pennsylvania State Police barracks

Section 2 The land shall not be acquired until the title thereto has been approved by the Department of Justice and the deed or deeds of conveyance shall be deposited with the Department of Internal Affairs

Section 3 Upon acquisition of any such property the Department of Property and Supplies may alter improve or repair the same so that the building or buildings thereon may be utilized as Pennsylvania State Police barracks

Section 4 The sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price or damages in condemnation of said land and for the alteration improvement or repair of the same to effectuate the purpose of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,	Letzler,		Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1324, on third reading, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generations of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1325, on third reading, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" further prescribing liquid fuels taxable under the provisions of said act

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1337, on third reading, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estate subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 601 CALLED FROM
THIRD READING POSTPONED CALENDAR

Mr. T. NEWELL WOOD. Mr. President, I call from the Third Reading Postponed Calendar House Bill No. 601, for consideration at this time.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title on said page, by striking out the part-word "cer"; Amend title, page 2, line 1 of title on said page, by striking out "tain counties" and inserting in lieu thereof "counties of the second class"; Amend Sec. 1 (Sec. 1), page 3, line 3, by striking out the word "except"; Amend Sec. 1 (Sec. 1), page 3, line 3, by striking out the word "first" and inserting in lieu thereof "second".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

RECESS

Mr. TALLMAN. Mr President, I move that the Senate do now take a recess until nine o'clock p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the vacation leave and sick leave to which State employes are entitled with pay

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 83, on second reading, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses

bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory three year revocation of operator's license on second conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 198, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of flood control and stream channel work in McKean Potter and Tioga counties made necessary by floods of July one thousand nine hundred forty-two and May one thousand nine hundred forty-six and of carrying out the provisions of existing laws relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations empowering them to acquire by purchase gift or eminent domain certain dwellings and other structures providing for their organization and the exercise of their powers and duties including the borrowing of money issuing bonds and other obligations the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 274, on second reading, entitled:

An Act to amend sections four thousand three hundred two four thousand three hundred three and four thousand three hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" inserting additional provisions relating to retirement basis for apportionment of pension and payments to pension fund by city

be recommitted to the Committee on Local Government

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 302, entitled:

An Act to amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for leaves of absence of professional employees because of illness or other causes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational schools districts county superintendents assistant county superintendents supervisors of special education supervisors of agriculture supervisors of home making and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, as the amendments are read I would like Mr. Homsher to explain the amendments. This is a very important bill and it would be very difficult to follow the amendments unless the Senator tells us what the amendments do.

(The Clerk started reading the amendments.)

Mr. BARR. Mr. President, it seems to me it is going to be impossible for us to follow these amendments unless Senator Homsher will explain them to us section by section.

The PRESIDENT. The Clerk will read the amendments to Section 2 and after he has finished then the gentleman from Allegheny will be in order with his request.

Mr. HOMSHER offered the following amendments:

Amend Sec. 2 (Sec. 1218), page 5, line 5, by striking out the word "one hundred seventy-five dollars (\$175)" and inserting in lieu thereof "two hundred dollars (\$200)"; amend Sec. 2 (Sec. 1218), page 6, line 13, by striking out the word "principals" and inserting in lieu thereof "Principals"; amend Sec. 2 (Sec. 1218), page 6, line 19, by striking out the word "eight (8)" and inserting in lieu thereof "seven (7)"; amend Sec. 2 (Sec. 1219), page 13, line 4, by striking out the word "five (5)" and inserting in lieu thereof "(six (6))"; amend Sec. 2 (Sec. 1219), page 13, line 9, by striking out the word "five (5)" and inserting in lieu thereof "six (6)"; amend Sec. 2 (Sec. 1228), page 19, line 17, by striking out the word "than"; amend Sec. 2 (Sec. 1228), page 20, line 9, by striking out the word "dollars (\$4000)" and inserting in lieu thereof "five hundred dollars (\$4,500)"; amend Sec. 2 (Sec. 1228), page 20, line 11, by striking out the word "dollars (\$4000)" and inserting in lieu thereof "five hundred dollars (\$4,500)"; amend Sec. 2 (Sec. 1228), page 20, line 13, by striking out the word "dollars (\$4000)" and inserting in lieu thereof "five hundred dollars (\$4,500)".

On the question,

Will the Senate agree to the amendments?

The PRESIDENT. Senator Homsher, which is correct? At the bottom of the first page of amendments the figures show \$4,500 and the printed figure shows \$500. Should that be \$4,500?

Mr. HOMSHER. It is all right in this copy of the amendment, I think; it is \$4,500. The correct amount is \$4,500.

The PRESIDENT. Senator Homsher, the gentleman from Allegheny, Senator Barr, has requested that you explain in your own words just what this amendment does.

Mr. HOMSHER. Mr. President, the first amendment, Section 2, Section 1218, Page 4, Line 5, changes the five increments to holders of standard certificates in first-class districts; it changes the amount of increment from \$175 to \$200.

The second amendment, amending Principals, Page 6, Line 13, is a corrective amendment.

The amendment to Section 2, Page 6, Line 19, strikes out "8" and inserts "7", which is a corrective amendment as "8" is a mistake in the printing.

Amend Section 2, Page 13, Line 4, by striking out "5" and inserting "6"—that increases the increment by one.

Amend Sec. 2 (Sec. 1219), Page 13, Line 9, by striking out the word "five (5)" and inserting in lieu thereof "six", which increases the increment by one.

Amend Sec. 2 (Sec. 1228), Page 19, Line 17, by striking out the word "than", which is a corrective amendment.

Amend Sec. 2 (Sec. 1228), Page 20, Line 9, by striking out the word "dollars (\$4,000)", and inserting in lieu thereof "five hundred dollars (\$4,500)"; the amendment is correct because the \$4,000 is in the previous line. That pertains to salaries of county superintendents and changes the salary from \$4,000 to \$4,500.

The next amendment changes the salary of county supervisors.

The next amendment changes the salary of county supervisors of special education from \$4,000 to \$4,500.

The next amendment changes the salary of county supervisors of ariculture from \$4,000 to \$4,500. That is the minimum salary.

The amendment on page 26, Line 9, is a corrective amendment.

The amendments on Page 39, Lines 11, 12, 13, 14, 15 and 16, are to correct an error in the wording of the bill.

Mr. BARR. Mr. President, may I ask that the amendments be read.

The PRESIDENT. We would first like to act on the amendments to Section 2.

Mr. BARR. Mr. President, I am asking that the corrective amendment be read.

The PRESIDENT. That is with regard to Section 3. Does the gentleman have any remarks as to Section 2?

We will dispose of Section 2.

Mr. HOLLAND. Mr. President, I would like to interrogate the gentleman from Lancaster.

The PRESIDENT. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. HOLLAND. In view of the passage of Senate Bill 800 how will these increments affect the Pittsburgh School District?

Mr. HOMSHER. Mr. President, I do not understand the gentleman's question.

Mr. HOLLAND. In passing Senate Bill 800, which create a new district in Pittsburgh, how will these in-

crements affect Pittsburgh, since this district is not in the bill?

Mr. HOMSHER. Mr. President, I think that is provided in Senate Bill 800. That is provided in Senate Bill 800, which states that while it applies to first-class districts, that it shall apply if the district is split up, in Senate Bill 800.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Sec. 3 (Sec. 1241), page 26, line 9, by striking out the words "provided further that" and inserting in lieu thereof "Provided further, That."

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. Will the gentleman from Lancaster explain that amendment?

Mr. BARR. Mr. President, that is the same wording.

Mr. HOMSHER. Mr. President, it is a capital letter and means it starts a new sentence instead of continuing in one sentence.

The PRESIDENT. That is a grammatical correction.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Sec. 6 (Sec. 1257), page 39, lines 11, 12, 13, 14, 15 and 16, by striking out the words "who does not hold a" in line 11, all of lines 12, 13, 14, 15 and the words "gency or temporary certificates" in line 16, and inserting in lieu thereof "who holds only an emergency certificate for any grade or subject which he teaches, or for a period of two successive years employs in the same position teachers who holds only an emergency certificate for any grades or subjects which they teach."

On the question,

Will the Senate agree to the amendment?

Mr. BARR. Mr. President, may we be at ease for a minute? We would like to look over that amendment.

(The Senate was at sease.)

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The seventh, eighth and ninth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. TARR. Mr. President, I desire to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 1218), page 5, line 6, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1218), page 5, line 12, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1218), page 5, line 17, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1218), page 6, line 4, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1218), page 6, line 10, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1218), page 6, line 19, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1218), page 7, line 5, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 7, lines 13 and 14, by striking out the word and figure "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 7, line 19, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 8, line 7, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 8, line 12, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 8, line 19, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1218), page 9, line 5, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 9, line 14, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 9, line 20, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1219), page 10, line 5, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1219), page 10, line 12, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1219), page 10, line 18, by striking out the word "eight (8)" and inserting in lieu thereof "ten (10)"; Amend Sec. 2 (Sec. 1219), page 11, line 6, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 11, line 10, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 11, line 15, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 11, line 19, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 12, line 5, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 12, line 9, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 12, line 14, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 12, line 18, by striking out the word "seven (7)" and inserting in lieu thereof "nine (9)"; Amend Sec. 2 (Sec. 1219), page 13, line 4, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 13, line 9, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 13, line 15, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 13,

line 20, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 14, line 6, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 14, line 11, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 14, line 17, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)"; Amend Sec. 2 (Sec. 1219), page 15, line 3, by striking out the word "five (5)" and inserting in lieu thereof "seven (7)".

On the question,

Will the Senate agree to the amendments?

Mr. TARR. Mr. President, in view of the fact that the amendments were quite lengthy, perhaps a word of explanation would be in order at this time.

The amendments raise the increments now provided by House Bill 417 by two. In other words, for a standard certificate, the maximum would be raised from \$2,700 to \$3,000, and for a bachelor's degree from \$30,200 to \$3,500 and for a master's degree from \$3,400 to \$3,700.

Mr. President, this is a far cry from the expectations of the teachers of the Commonwealth during the last four months. The hue and cry has gone out all over the state for a decent salary schedule for teachers in this Commonwealth, and here at the tail end of the session we are faced with tonight getting through a bill on second reading which is at least going to live up to some—and I should say very few—of the expectations of the teachers.

Mr. President, there are fifty-nine thousand teachers in the Commonwealth and, as we are well aware, only three thousand teachers are going to receive this large increase we have heard so much about. The average wage in the Commonwealth in this school year is \$2,100. Here we are offering about twenty thousand teachers an increase ranging from \$250 up to somewhere near \$600. In the second and third-class districts, under House Bill 417 as it is now written, we are offering approximately \$150.

Thinking of my own county of Fayette, in which we have a greater number of third-class districts than any other kind, I note, Mr. President, that if House Bill 417 is not amended to take care of a couple more increments, it might be that a good number of schools in my county will not open this fall because the teachers are not going to go back with a \$150 increase. No teacher in the Commonwealth thought they would be offered from nothing to \$150 increase when this session of the Legislature started.

I am not going to go into politics nor to accuse either side of the House. I think that the teachers of the Commonwealth known wherein their troubles lie. We have had a good number of persons come along and say if you give the teachers a couple of hundred dollars a month you can not keep them out of the classrooms. Mr. President, that is far from true because the School Board Journal of the week, which is the official publication of the Boards of Education, compares Pennsylvania salaries, and those which would be received under House Bill 1417 as now written, with those of Denver, with a maximum salary of \$4,450; Detroit, \$4,500; Newark, New Jersey, \$5,000; St. Louis, \$4,500; San Francisco, \$5,380; Baltimore, \$5,000.

Yet we, who promised so much to our teachers in both party platforms, are offering a maximum for a standard

certificate of \$2,700; for a bachelor's degree, \$3,000 and for a master's degree, \$3,400. I dare say that there is no profession in the United States, and I am certain no profession in Pennsylvania, which is so underpaid for the amount of work which must be done. There is an old old story—and I am not going to annoy the members of the Senate by repeating it, but if you will accept the amendments just offered, the first-class school districts may get an increase in the amount of the amendments, but as an actual fact, Mr. President, it can not be refuted that under House Bill 417 at the present time, if the school boards will follow the mandate of the law, it will be possible to cut salaries. I know the answer may be that there is a section in this law which says salaries are frozen but that is a very weak section, because you can not say on the one hand that salaries are mandated and then say on the other hand that salaries are frozen.

I am not satisfied even with my own amendments, Mr. President, but I think they are a step in the right direction and I ask for a roll call.

Mr. WAGNER. Mr. President, I have especially requested the Chairman of our Education Committee, Senator Homsher, to permit me to oppose these suggested amendments, and I do that because I think each member of this Senate knows where I stand on teachers' salaries and that I have been one of those who has worked diligently for many sessions to increase them as high as we can. Therefore I am the one, I think, who should point out the limitations of these proposed amendments.

The gentleman from Fayette calls attention to the fact that if they do not get additional increments they will have to do without a lot of teachers in their schools next fall. I assume the gentleman from Fayette understands that in these increments which he has suggested, he is making no financial provision for them, so that the people of Fayette county and the other counties will have to supply the money for those additional increments.

I can not trace his figures for the various parts of the country, because every day we seem to get figures from different points. He is going to Denver now and he has been in San Francisco during the last several minutes.

I have heard for months from my own teachers, over and over again, the fact that we should attempt to do for our teachers what New York has done, and I did try to accumulate figures for New York, and I find that the New York salary bill is inferior to the salaries established in House Bill 417.

Our teachers do not want promotional increments; as you know, the promotional increments have been stricken out. New York does not mandate as high a salary for their teachers generally as we do here in Pennsylvania under House Bill 417. They take about seventy-five per cent of the burden from the pockets of the taxables in the state of New York. I can not vouch for the truth of this, but it has been stated that recent legislation puts them back educationally somewhere between seventy-five and one hundred years, but I do think that I should point this out to the gentleman.

Let us not talk in terms of increments, but of the appropriations we make for our schools. In 1937 we appropriated seventy and one-third million dollars for our schools and, in 1949 we project that to \$190,882,000. During the period from 1941 to 1951 we will have increased

school appropriations in this state, including retirement appropriations for teachers, \$201,000,000.

I say to the gentleman from Fayette, and I do not care to make this political nor do I care to make it a personal issue, because I know he is sincere, in that he wants to help the teachers as do we gentlemen on this side of the Senate, but you can not increase teachers' salaries without burdening the local taxpayers unless you increase your state subsidies proportionately. The situation has been thoroughly examined, it has been checked and double-checked at all hours of the day and night for the last month, and it is pretty generally agreed that the additional moneys this year for school purposes are to be \$48,000,000 plus, I believe, about \$5,000,000 for the retirement fund as a protection to the teachers. This is \$48,000,000 or more out of \$144,000,000 of new tax money and I think, Senator, that we were a bit remiss when we did not tell those bottlers who were here some time ago that at least a part of that money that we were taxing them was for school teachers' salaries.

I think we, too, were a bit remiss when we answered our friends in the labor unions. I wrote letter after letter replying to their requests that we raise teachers' salaries, and I congratulated them and I told them we were in the same corner, that that was what I was seeking, and then I got a letter, it may have been special delivery or just ordinary mail, a couple of minutes before we voted on the soft drink tax—telling me those people had definitely and unanimously gone on record against that tax, because it would add one cent to the cost of the drink the working man stops to take to refresh himself during his arduous day. We just can not do these things on a one track basis. You have got to go and you have got to come back.

I would ask the gentleman on both sides of the Senate, out of deference to their own school districts, which have been clamoring for years that they could not carry any more of the load, to vote down these proposed amendments, lest they endanger either the whole bill or the local tax structure.

Mr. TARR. Mr. President, I have listened with a great deal of interest to the arguments of my friend and colleague on the other side and it seems to me that the old hue and cry is again going out as to cost.

My friend from Schuylkill has referred to the fact that I had gone to Denver and San Francisco and all over the country to get some figures, and then he immediately went over to New York state. I am not proud of anything much that has happened in New York state. It seems to me, Mr. President, that after the public employes' strike bill that this Senate passed just last week, which is an exact copy of the New York bill—and I guess if Mr. Dewey runs for President from New York, and he thinks he can get by with a bill like that, we in Pennsylvania think we can get by with the same kind of bill.

The gentleman from Schuylkill brought up the question of increased cost to the local school districts. We have amendments prepared that will increase the amount of contribution by the state. I know, Mr. President, that always brings up the question and always goes back to the argument that Pennsylvania is now paying a certain percentage of educational cost, but they are again just figures, and it has become more and more, and it will

become more and more, the duty of the state to furnish more and more money for education in the Commonwealth.

The gentleman from Schuylkill brought up the fact that a certain number of years ago we appropriated a specific amount of money for education and then he said that we had doubled it. Well, Mr. President, the value of the dollar and the buying power of the dollar of the teacher has greatly reduced itself in that same length of time. I wish to bring to the attention of the gentlemen on the other side—I do not like to repeat this over and over again because it seems every time I get up on the floor it is brought out that I have served some time as a teacher in the Commonwealth, and after the nineteen years I have taught I will again under House Bill 417, receive the magnificent sum of \$2,300. That is what is going to happen all over the Commonwealth in the third-class districts. There may be some other change that will be necessary in the bill. I am not against those persons working for \$1,400 who will now get \$2,000, an increase of \$600, nor do I find fault with those persons receiving \$1,700 or \$1,800 going up at least to the bottom of the scale.

However, I again say, in its present form, House Bill 417 will not give to at least one-third of the teachers of this Commonwealth any increase in wages and I respectfully ask that the members on both sides vote for the amendments, and I ask for a roll call on the question of the amendments.

Mr. WAGNER. Mr. President, I do not want to prolong this, except that we keep talking about these minimum mandates as though they were top salaries teachers could get. This is the minimum possible salary you can pay teachers in the various categories, as required by the state, but from there we can go on as far as our appreciation of our taxpayers permits us to go.

And the question recurring,

Will the Senate agree to the amendments?

Mr. TARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. TARR and were as follows, viz:

YEAS—14

Barr,	Holland,	Rahauser,	Stiefel,
Dent,	Jaspan,	Rosenfeld,	Tarr,
DiSilvestro,	Klein,	Ruth,	Woodring.
Haluska,	Margie,		

NAYS—32

Becker,	Geltz,	Mahany,	Wade,
Berger,	Heyburn,	Mallery,	Wagner,
Blass,	Homsher,	Scarlett,	Walker,
Carr,	Kephart,	Snowden,	Watson,
Chapman,	Lane,	Stevenson,	Wilson,
Crider,	Leader,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Farrell,	Lord,	Tyler,	Wood, T. N.,

PRESENT—2

Donlan,	Hare,
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So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. RAHAUSER. Mr. President, I desire to offer amendments at this time, and ask that they be read.

The PRESIDENT. Is there objections? The Chair hears none.

The Clerk read the amendments as follows:

Amend section 3 (Sec. 1241) page 24, line 20 by striking out the word "six", and inserting in lieu thereof the word "five"; Amend section 3 (Sec. 1241) page 25, line 1, by striking out the figure "6" and inserting in lieu thereof the figure "5"; Amend section 3 (Sec. 1241) page 25, line 5, by striking out the word "six" and inserting in lieu thereof the word "five"; Amend section 3 (Sec. 1241) page 25, line 5, by striking out the figure "6", and inserting in lieu thereof the figure "5"; Amend section 3 (Sec. 1241) page 25, line 10, by striking out the word "six" and inserting in lieu thereof the word "five"; Amend section 3 (Sec. 1241) page 25, line 10, by striking out the figure "6" and inserting in lieu thereof the figure "5"; Amend section 3 (Sec. 1241) page 25, line 14, by striking out the word "six" and inserting in lieu thereof the word "five"; Amend section 3 (Sec. 1241) page 25, line 14, by striking out the figure "6" and inserting in lieu thereof the figure "5"; Amend section 3 (Sec. 1241) page 25, line 19, by striking out the word "six" and inserting in lieu thereof the word "five"; Amend section 3 (Sec. 1241) page 25, line 19, by striking out the figure "6" and inserting in lieu thereof the figure "5".

On the question,

Will the Senate agree to the amendments?

Mr. RAHAUSER. Mr. President, the purpose of this amendment is to carry out our contention that it is incumbent upon the state to bear the cost of education. We disagree that the cost of education should be returned to the local school districts. We believe that the General Assembly, as the Constitution has said, shall provide for the maintenance and support of a thorough and efficient system of public schools, wherein all the children of the Commonwealth, beginning at the age of six years, may be educated, and we take that to mean that it is the burden of the state itself to lend financial support for the education of our children.

Mr. President, to change back to five mills would reimburse in most districts considerably more money than what the present bill provides. In case of maximum subsidy the old bill provided \$1,800 and the present bill provides for \$2,200. Consequently most districts think they are getting an increased subsidy of some \$400 but due to the change in the fraction, caused by the advance from five mills to six, they are not receiving that full \$400.

For instance, Mr. President, in West Newton, where the anticipated increase would be approximately \$400, they would actually receive \$325. In the borough of Greensburg, instead of receiving approximately \$400 increase, they would receive \$250. In the district of Southwest Greensburg, in place of receiving approximately \$400 they would receive \$310. In the third-class district of Monessen, in place of receiving \$400 increase they would actually receive \$260. And so it is throughout Allegheny county, where this would be much more pronounced. It is the contention of this side of the Senate that at least the state should maintain the same five mills as was provided in the previous bill.

I have other amendments to offer but first I should like to have this one acted upon.

Mr. WAGNER. I just wish to state, Mr. President, that this is part of the package of school law adjustments that step up the five mills to six, as it steps up the subsidy by a hundred.

The Senator read off a number of districts like Greensburg, West Newton Township, I believe, and so forth which, he stated, instead of getting \$400 more will get \$350 or \$300, and I would like to remind the gentleman from Allegheny that we get them off to a wonderful start, because that additional subsidy starts as of the school year now ended, so that instead of getting \$50 less than \$400, they are getting \$350 more reimbursement for the school year just ending than they had expected to get.

If you do not keep the system in proportion, considering the additional dollars from the state, with a slight increase in the millage locally, you will throw the whole business out of mesh under the budget, and under the money allowable, if you consider that five million additional dollars are being provided for them over and above what is called for in the current school term, I think we can not, without doing irreparable damage to the whole school program set up, do anything but vote "no" on these amendments.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Schuylkill.

The PRESIDENT. Will the gentleman from Schuylkill permit himself to be interrogated.

Mr. WAGNER. I will, Mr. President.

Mr. DENT. Mr. President, has it been decided by the Republican caucus that all amendments will be turned down as offered by the Democratic minority.

Mr. WAGNER. I very frankly state, Mr. President, that the Republican caucus, not only tonight but for many weeks, at different times, has struggled with this school program to squeeze out of the budget every last dollar we can to be helpful to the teachers in the schools and we feel, Senator Dent, that this is it, and under those circumstances we can only sustain our judgment by voting down the amendments.

Mr. DENT. Am I to assume then from the answer given by the gentleman from Schuylkill that all amendments, regardless of their merit, are to be turned down by the Republican majority.

The PRESIDENT. The gentleman is making his own assumption.

Mr. DENT. I am not making any assumption; I am only asking. Will the gentleman from Schuylkill permit himself to be further interrogated.

Mr. WAGNER. I will, Mr. President.

Mr. DENT. Then I am to assume from the Senator's answer, regardless of what amendments are offered, regardless of their merit or demerit, the Republican majority has assumed their program is the program for the school teachers of the Commonwealth of Pennsylvania and therefore all amendments offered by this side will be turned down.

Mr. WAGNER. Mr. President, if I may be permitted, I would like to put it in slightly different words.

Mr. DENT. Mr. President, the gentleman can put it in any words he likes; I will understad the answer.

Mr. WAGNER. I think you will, Senator. Mr. President, I want to make it plain that the Republican majority will vote down any amendments that come up.

This is a delicate financial program that has been established, after very arduous and lengthy conferences with the best political and educational minds we have available participating. If the gentleman can think of amendments that will not disturb that set-up I, for one, will ask my colleagues to vote for them.

Mr. DENT. Mr. President, this is the first time in my young life I have ever known that anybody would assume that the Republican majority had all the fine minds in Pennsylvania. I believe that we, too, have some semblance of intelligence but we never have been consulted as to the school program for the Commonwealth of Pennsylvania. We therefore submit to you that our amendments are well thought out, well planned, and are an integral part of a program designed to give to the teachers of Pennsylvania a part of the benefits promised last year by the Republican platform.

If any person on the other side can show wherein any one of the amendments we offer are not part and parcel of the program sponsored by the Republican party last year, then, Mr. President, I submit to the majority that we are not capable of offering amendments in an intelligent manner. However, if the Republican majority has taken the position that, regardless of what we offer, their caucus will turn them down then, Mr. President, we will be forced into the position of making a full dress review of the entire school program of the Commonwealth of Pennsylvania.

Mr. WAGNER. Mr. President, I think we all want to keep the record straight. I do not believe I said that the Republicans had all the best political brains—I do not think the gentleman from Westmoreland can read my mind. What I think, my words conveyed, Mr. President, was that some of the best political and some of the best educational brains were employed in this educational design. The Senator well knows that I have never even tried to make statements of that kind, and the gentleman well knows that some of his colleagues have rather depended upon me to make certain changes in this bill, on which their best brains and my feeble brains agreed.

Mr. DENT. Mr. President, I hate to do this but I have a proven theory that when I am misquoted I have definitely made up my mind that I will not try to convince people I have been misquoted unless the record is read. Therefore, Mr. President, I would like the reporter to read back to the Senate wherein at any time I said that the Republicans were endowed with the best political brains in the Senate of Pennsylvania. So if the reporter will kindly indulge, I would like him to read the record as I stated it.

(The reporter repeated Senator Dent's previous remarks as follows: "Mr. President, this is the first time in my young life I have ever known that anybody would assume that the Republican majority had all the fine minds in Pennsylvania.")

Mr. HALUSKA. Mr. President, it is quite apparent from the discussion which just occurred that none of the amendments we have to offer will be adopted in House Bill 417 which, as we all know, is a very important bill. I want to point out, if I may, the importance of considering some of the amendments.

Mr. President, let us go back a few years when you,

Mr. President, and other of our colleagues were away fighting the war, and the school teachers were called upon first and last to take part in sugar rationing, selling bonds, paper gathering, gasoline rationing, without any compensation whatsoever. They did their part loyally. Many of them could have left their jobs and gone into industry and received twice as much but, being loyal to their profession, they stayed in the schoolhouse.

Now, Mr. President, we find that most of our school teachers are compelled throughout the vacation period to be barmaids, work in five and dime stores, go down to the shore and try to procure a job of some kind, to be able to be clothed properly and take their places in society because they can not earn sufficient funds in their profession.

Mr. President, I am not a Drew Pearson and I am not going to try to copy his style but I want to make a remark here and now—it will be a prediction. I predict tonight that despite the fact that we have passed an anti-strike bill, come September first you will find many thousands of our school rooms lacking in school teachers and I will suggest now, before we agree to adjourn sine die, that this session recess, to be prepared to come back into a special session, and save the Commonwealth many thousands of dollars, because we shall come back to enact some type of legislation or we shall find our schoolrooms empty. That is a prediction, gentlemen, and you will find those words to be true; anti-strike bill or no anti-strike bill, they have a right to quit and if I know school teachers they are not going back to the class rooms come September first.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR, and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—32

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,

PRESENT—2

Donlan,	Hare,
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So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. RAHAUSER. Mr. President, I wish to offer another set of amendments and ask that they be read and then I would like to explain their purpose.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 2, page 18, by inserting after line 20, the

following: "Providing further, That any teacher, supervisor, principal or supervising principal who has been employed continuously since September 1940 shall be given one additional increment on the applicable schedule commencing with school year 1947-48 in addition to increments provided herein."

On the question,

Will the Senate agree to the amendment?

Mr. RAHAUSER. Mr. President, the purpose of this particular amendment is to provide an additional increment not only for those teachers who have been continuously employed during the period of the emergency of the war but also to provide an increment to those teachers who were on the payroll of some school district, went into the service, and who were considered continuously employed during that period of time: It is believed that those people who have given continuous service are not properly taken care of in the present House Bill 417 and I ask that this particular feature be considered and adopted.

Mr. WAGNER. Mr. President and gentleman of the Senate, the idea behind this amendment is commendable. I can appreciate it because the gentleman from Allegheny is now getting into my family relations, several of whom would benefit by this increment.

The only thing I can say for or against it is what I have said on the other amendments—you will either distort the budget, or, if you do not increase the subsidy, you will have to pay it back home.

My sincere recommendation to Senator Rahauser is that he in his town, and I in my town, try to get our school districts to give this recognition to returned servicemen, but I can not agree with the amendment.

Mr. WOODRING. Mr. President and members of the Senate, on these amendments, the purpose of them is clear and they are in accordance with the suggestion which I rather carelessly made on Tuesday of this week on this floor.

It seems to me that some very careful and serious consideration ought to be given to those stalwart members of the teaching profession who saw fit to stay at their posts when the high prices of the lush war earnings made it very attractive to leave the less glamorous callings of life. Our teachers did, to a large extent, a very extended percentage, remain at their posts, not for any personal gain, certainly not for any personal glory, and I think the Legislature of 1947 is manifestly unfair if no consideration is given to their faithful services.

In making these remarks, Mr. President, I am mindful of the spirit and the purpose of the amendments as presented and passed and adopted—those amendments presented by the gentleman from Lancaster, Senator Homsher. I notice that his amendments, other than increasing first-class district increments from \$175 to \$200, do virtually nothing for the great band of many thousand of teachers in the Commonwealth of Pennsylvania.

They do, however, increase very substantially the increments and the salaries to school administrators in the state of Pennsylvania. Mr. President, it seems reminiscent of the old adage that he who has gets and he who has nothing shall have taken away even that which he has. That is too bad, Mr. President, because the administrators have not done too badly throughout the years. It is not the administrators of the schools that need the help

in this day and age, it is the school teachers, and if our school system is to stand as a proper system in the great Commonwealth of Pennsylvania, we ought to consider the administrators less and the great band of teachers more, and it seems to me here in the amendments offered by the gentleman from Allegheny, Senator Rahauser, we have an opportunity to do a very little bit, not very much, for that great band of teachers.

In answer to my good friend and colleague, the gentleman from Schuylkill, my able and learned colleague, Senator Wagner, the budgetary requirements for these amendments are small, there is enough in the bottom of the barrel, just the gleanings will take care of this amendment, which would be a token of reward for services during the emergency period.

It seems to me the amendments offered by the gentleman from Allegheny, Senator Rahauser, ought to be adopted.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask, for a roll call.

The yeas and nays were required by Mr. BARR, and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

NAYS—32

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,

PRESENT—2

Donlan,	Hare,
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So the question was determined in the negative.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, in the two last prior roll calls I noticed that two members of the Senate were recorded as voting "present" and I would like to have a ruling by the Chair on the point of order whether it is permissible under the rules of the Senate to be recorded as voting "present".

The PRESIDENT. If a member has an interest in it he may be so recorded.

Mr. HALUSKA. Mr. President, as I understand, the President has stated "the yeas and nays shall be taken" and in accordance with that I find no place for voting "present".

The PRESIDENT. If a Senator has some kind of interest in a subject before the Senate he has a right not to declare himself either "aye" or "no", and can vote "present" and the Chair so rules.

Mr. HALUSKA. Mr. President, under what rule does

the Chair so state? If a Senator has an interest he certainly can vote "no".

The PRESIDENT. What is the question of the gentleman from Cambria?

Mr. HALUSKA. Under what rule, Mr. President, does the Chair base that decision?

The PRESIDENT. The Constitution permits a Senator to do that.

Mr. HALUSKA. It does not, Mr. President.

The PRESIDENT. The Constitution of Pennsylvania so provides.

Mr. HALUSKA. Mr. President, under the Constitution it says that the "ayes" and "nays" shall be taken.

The PRESIDENT. The Chair has ruled that a Senator may vote "present" if he has an interest. However, if the gentleman from Cambria desires to take an appeal from the ruling by the Chair, that is his privilege.

Mr. HALUSKA. I will not take an appeal, Mr. President, but I think the ruling by the Chair is wrong.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. RAHAUSER. Mr. President, I offer another set of amendments and ask that they be read.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2 (Sec. 1229), page 21, lines 16, 17 and 18, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

Mr. RAHAUSER. Mr. President, the purpose of this amendment is to give some recognition to the beginning teacher. Under the present act, as I understand it, there are no increments permitted during the probationary period. It has been my personal experience with those teachers that all through the probationary period, when some increase can either make or break their spirit, they do not get any, and from the standpoint of giving some incentive to those teachers who are beginning to teach school at the present time I am offering this amendment and ask that it be considered.

Mr. WAGNER. Mr. President, the lines that the gentleman would delete are lines that would provide that a school district does not give a service increment to a teacher during her probationary period. Under the bill which we are going to pass in this session, any teacher who gets a position to teach school will get at least \$2,000; if she does a satisfactory job for two years we say to her that she can keep her job for her lifetime, under good behavior. If we are going to start a teacher at \$2,000 just fresh out of school and, after two years, give that teacher tenure and a lifetime job, it seems no more than reasonable to hold off the increments until those two years have been served to prove the teacher's worth.

Again I say this provision can not be fitted into this structure, so I ask the gentlemen of the Senate to vote "no."

And the question recurring,

Will the Senate agree to the amendment?

Mr. RAHAUSER. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. RAHAUSER, and were as follows, viz:

YEAS—16

Barr,
Dent,
DiSilvestro,
Haluska,

Holland,
Jaspan,
Klein,
Lane,

Leader,
Margie,
Rahauser,
Rosenfeld,

Ruth,
Stiefel,
Tarr,
Woodring,

NAYS—32

Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Doehla,

Farrell,
Frazier,
Geltz,
Heyburn,
Homsher,
Kephart,
Letzler,
Lord,

Mahany,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Tyler,

Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,

2 PRESENT

Donlan,

Hare,

So the question was determined in the negative.

POINT OF INQUIRY

Mr. HALUSKA. Mr. President, I rise on a point of inquiry.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, with reference to the remarks I made recently with regard to a member voting "present" I want to quote from Article 3, Section 33 of the Constitution of Pennsylvania: "A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon."

The PRESIDENT. The gentleman from Cambria is correct in his reading of the section of the Constitution, and the Chair has so ruled. The two Senators voting "present" indicated by such statement that they have an interest in the bill.

Mr. HALUSKA. Mr. President, did they disclose to the General Assembly here their interest?

The PRESIDENT. Will the gentleman from Cambria repeat his interrogation?

Mr. HALUSKA. Mr. President, have they disclosed their interest in open Senate?

The PRESIDENT. Yes.

Mr. HALUSKA. When did they do it, Mr. President?

The PRESIDENT. By their very method of not voting, showing they have an interest in the bill, they have so indicated.

Mr. HALUSKA. Mr. President, under the Constitution it is certainly clear that they must declare to the Senate their personal interest.

The PRESIDENT. The Chair has ruled.

Mr. DiSILVESTRO. Mr. President, I believe in all fairness that the point the Senator from Cambria has brought up is logical and fair but I believe he should also be receptive to the answer.

The gentlemen have indicated that they have an interest in the particular matter before the House and therefore they are voting "present."

What is the use of wasting time with all this talk.

The PRESIDENT. The Chair so rules.

Mr. HALUSKA. Mr. President, I do not care what the gentleman from Philadelphia states. I am a member of this body and if I am taking up his time it is just too bad

for him. I have a right to be heard, whether he likes it or not.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise on a point of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. DiSILVESTRO. Mr. President, during the past few days I have been subjected to the utmost discomfort.

I have not minded the heat nor the long hours of waiting for the Republican caucus to make up its mind, nor even at times the lengthy speeches which have emanated from my side of the house. But when one of the Capitol pigeons decides to roost directly above my seat and then periodically insult my dignity as a Senator I think things have gone too far.

Would it not be possible for the Senate to give me some protection—perhaps a large umbrella. I appeal to my friends on both sides of the Senate to come to my aid. I thank you.

The PRESIDENT. The Chair will take particular judicial notice of what the gentleman from Philadelphia has said because the Chair has had a narrow escape himself.

Mr. DENT. Mr. President, I want to say this, if a gentleman in the Senate desires to not be recorded that is entirely his prerogative. However, Mr. President, there comes a time when we all must stand and face issues as they are presented. If every member of this Senate who is a member of the law profession would not vote on any bill that deals with law, there would be very few votes on many bills here; if every medical member of the Senate would not vote on bills dealing with the medical profession, and if every member of other professions would not vote on bills dealing with their professions, then there would be very few votes on those occasions.

I am not so particularly disturbed over whether a man has a personal interest. All the insurance bills that were introduced in this session were introduced by a man who is interested in the insurance business, and that is proper, because he knows the insurance business; I have no objection to that. I personally have introduced many bills dealing with labor because I feel I know the labor question. However, Mr. President, I do not hide behind that when a vote is cast on the Senate floor.

I am not disturbed whether these men vote or not, but the gentleman from Cambria certainly has a right, a right reserved to a member of the Senate, to ask the question that he has asked. Many members of this Senate could not vote on many bills if all personal interests were divulged. All of us are living citizens of this community, the state of Pennsylvania, and as such we are interested in many of the bills presented on the Senate floor, so we will let alone the subject of whether a man votes or not; whether he votes or not determines his character and nothing else.

PERSONAL PRIVILEGE

Mr. DONLON. Mr. President, I rise on a matter of personal privilege.

The PRESIDENT. The gentleman will proceed.

Mr. DONLAN. Mr. President, I should like to make a brief statement in view of the remarks of the Senator from Westmoreland. I was one of those Senators who

asked to be voted "present". The reason I asked to be voted as "present" is that I am a teacher on leave of absence and did not want to appear greedy.

Mr. President, I have worked as hard for the teachers as any man in this Senate. As far as my character is concerned, I just returned from the service, I have been wounded four times in action, I have lost a leg in action, and I feel I contributed as much to my country as any man.

I am also a school teacher, and my profession for the rest of my life will be teaching school, and I resent the remarks made by the gentleman from Westmoreland.

Mr. DENT. Mr. President, some of us have not had the privilege of being wounded by the enemy.

However, sir, the characterization that I gave was not personal. There can be no other description of any person who desires to set his vote aside. Every vote on the Senate floor has a personal character about it. There is nothing in what I said that would make any remark that I made anything of a personal nature. I have been here too long, sir, to ever have any man get the express opinion that I would ever, under any circumstances, cast a personal reflection upon any individual.

What I said, sir, I still mean and that is, whether a man desires to vote or not on any question—there are men on this side too who are school teachers; there are men on this side too who are interested in the school problem; there are men on this side who are solicitors for their school districts; there are men on this side who, at times refuse to vote on many bills, and that is their prerogative, if they so desire, but it still only shows the character of the man; if he wants to get out from under by not casting a vote, that is his privilege. It does not take away from any of his record as a man and he has a right to get up on this floor and say "I do not desire to be registered as a voter on this matter because I have a personal interest."

The gentleman certainly has fought the battles for all of us and we respect him for that—there is not a man on this side who does not respect him for what he has done for all of us, for men like him have made it possible for us to be here. But just like he bared his breast and came back amongst us, some of us have some who did not come back.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. RAHAUSER. Mr. President, I wish to offer my final amendments and ask that they be read.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2 (Section 1220), page 15, lines 7, by inserting after the word "Education" the following: "Provided, however, that teachers of industrial arts in the senior and junior high schools and teachers of industrial subjects in the vocational schools who have had six years of trade experience and shall be the holders of a State Vocational Certificate shall be deemed to have the qualifications equivalent to a Bachelor's Degree and entitled to the salary and increments prescribed in the schedule for teachers holding a Bachelor's Degree."

On the question,

Will the Senate agree to the amendment?

Mr. RAHAUSER. Mr. President, the purpose of this amendment is to create a wider interest in vocational teaching. It has recently been brought to the attention of the Senate by the Chamber of Commerce that the State Educational Department should take an increased interest in vocational education. The great trouble in vocational education is the acquisition of those teachers who are capable of teaching those subjects, as it not only takes a person who knows something about trades but also a person who can teach.

This amendment is designed to encourage people to enter the vocational teaching field, where there is a great need. It would provide for those people who have six years of shop experience, or practical experience, that their compensation would be the same as that of a teacher holding a Bachelor's Degree, and I ask that this amendment be given serious consideration because there is indeed a great need for this type of legislation, it is essential in every place in Allegheny county, and I believe what is true in Allegheny county is true throughout the state.

Mr. WAGNER. Mr. President, I fully appreciate that there is considerable merit in the gentleman's objective in offering this amendment, but I do not know whether or not this is the correct way to do it.

There is a provision in this bill that the State Council of Education, which is the group of educators who interpret the rules of this game and establish the rules under the broad laws we make, should determine the equivalent of a degree and I should like to ascertain whether that does not give the State Council of Education some latitude in setting up what might be the equivalent of a Bachelor's Degree or a Master's Degree in this field; I should like to know about how many of these men are affected and what the cost of this amendment might be. I am sincere about that because, frankly, I have no idea.

My suggestion would be, and I think I can make this proposal, that the chairman and the vice-chairman of the Senate Committee on Education will sincerely study the full potentialities of this amendment, and if it can be worked into this pattern, we would endeavor to have it adopted by the conference committee which will have to be appointed on this bill, inasmuch as we are changing a House bill.

I am perfectly willing that anybody else in the Senate express himself, but I would say for the present we had better vote this amendment down, but leave room to work it in if it is found to have all the merits claimed by the gentleman from Allegheny and will not change the picture materially.

And the question recurring,

Will the Senate agree to the amendment?

Mr. RAHAUSER. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. RAHAUSER, and were as follows, viz:

YEAS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

NAYS—32

Becker,	Farrell,	Mahany,	Wade,
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Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.,
Doehla,	Lord,	Tyler,	Wood, T. N.,

PRESENT—2

Donlan,

Hare,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. BARR. Mr. President, I have three sets of amendments to offer at this time. I will ask that the first one be read.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1241 (4), page 23, line 7, by striking out the words "seven hundred", and inserting in lieu thereof the following: "one thousand"; Amend Section 1241 (4), page 23, line 8, by striking out the figures (\$700), and inserting in lieu thereof the following: "(\$1000)"; Further amend line 8, by striking out the words "eight hundred", and inserting in lieu thereof the following: "eleven hundred"; Amend Section 1241 (4), page 23, line 9, by striking out the figure (\$800) and inserting in lieu thereof, the following: "(\$1100)".

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Seeing the Republican juggernaut working as it tonight, I will not ask for a roll call on the amendment, but I will ask that a voice vote be taken.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. BARR. Mr. President, I desire to offer additional amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1241, page 23, line 7, by striking out the words "seven hundred", and inserting in lieu thereof the following: "nine hundred"; Amend Section 1241 (4), page 23, line 8, by striking out the figures (\$700), and inserting in lieu thereof the following: "nine hundred"; Further amend line 8, by striking out the words "eight hundred", and inserting in lieu thereof the following: "one thousand"; Amend Section 1241 (4), page 23, line 9 by striking out the figure (\$800), and inserting in lieu thereof, the following: "(\$1000)".

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask that a voice vote be taken because the juggernaut is still working.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. BARR. Mr. President, I desire to offer additional amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 3, (Section 1241 (4)), page 23, line 7, by striking out after the word "be" and before the word "hundred" the word "seven" and inserting in lieu thereof the word "eight"; Amend Section 3, (Section 1241 (4)), page 23, line 8, by striking out after the word "dollars" and before the word "and" the figures "(\$700)" and inserting in lieu thereof the figures "(\$800)"; Amend Section 3, (Section 1241 (4)), page 23, line 8, by striking out after the word "thereafter" and before the word "hundred" the word "eight" and inserting in lieu thereof the word "nine"; Amend Section 3, (Section 1241 (4)), page 23, line 9, by striking out after the word "dollars" the figures "(\$800)" and inserting in lieu thereof the figures "(\$900)".

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, it seems to me a pity in the state of Pennsylvania that the Republican majority would not even have the courtesy, on an important bill such as this, to send to the Chair and even read the amendments offered by the minority, but we have learned to expect, that in this session of the Legislature. So, just to enlighten the gentleman on the other side, I will tell him briefly what is contained in the three amendments I have just offered.

This session of the Legislature has appropriated the sum of \$48,000,000 for educational purposes—I should say an additional \$48,000,000 to what has been appropriated in past bienniums.

Mr. President, I happen to represent a first-class school district, namely, the city of Pittsburgh. Under the bill which is before us tonight, on second reading, the subsidy provision provides for the first-class school districts the total sum of \$755,000.

Mr. President, I would like the Republican State Chairman for a change this evening to listen to something about this educational program, because he has not listened to one amendment that has been offered by our side this evening; Mr. Kephart has taken most of his time this evening by buzzing his ear, and I have paid particular attention to that because I know what was contained in the Republican platform.

Mr. President, the city of Pittsburgh, which I represent, and speaking now as a first-class school district, pays to the state one-sixth of the taxes which go to the state. By simple arithmetic we would expect a return from this \$48,000,000 extra appropriation for educational purposes this year, the sum of \$8,000,000. Instead of that the city of Pittsburgh school district is receiving the paltry sum of \$755,000.

Mr. President, the first amendment that I offered, which was not adopted, would have appropriated back to the first-class school districts in the matter of subsidies \$2,565,000, which is far less than one-sixth of \$48,000,000, which is \$8,000,000.

The second amendment which I proposed would have appropriated back to the first-class school districts \$1,795,000, which is certainly much less than the \$8,000,000 paid into the state funds by the people of the city of Pittsburgh. The third amendment which I offered would add \$755,000.

The gentleman on the other side, Mr. Wagner, as he arose when the first amendment was offered tonight, said "gentlemen, you know there are limitations to what can be done."

Mr. President, I have seen no bill introduced by the gentleman from Schuylkill, Senator Wagner, or by any other gentleman from any other county, where the people in their districts are going to be taxed by this Legislature, as will the bills we have passed, the personal property tax, the mercantile tax, the per capita tax, and so forth, which will have to be paid by the people of Philadelphia and Pittsburgh to pay some of the freight under this bill.

I do not like to appear, or try to appear, I should say, Mr. President, as a hero for the first class school districts; I would far rather Mr. Geltz or Mr. Walker had gotten up and offered these amendments, which in my opinion they should have done, and I also think either Mr. Kephart, Mr. Farrell or Mr. Frazier, or any of the other gentlemen from Philadelphia, should have presented the same type of amendments, if they are ringing true to the people who reside in the first class school districts.

I also watched, as these bills went through, Mr. Wagner, Mr. Hare and the rest of the gentleman interested in education, and they were very loud and lusty with their "ayes" in voting for the taxes placed on the people in the first-class school districts.

Mr. President, I just wonder how long the people in the first-class school districts are going to have to put up with the type of legislation that has been put through here in 1945 and now again in 1947, that is with regard to educational legislation for the school teachers.

There are two things to be considered in this bill. One, Mr. President, is the need for the school teacher, and secondly, Mr. President, is the need for the poor soul that has to pay his way. I very well know the provisions of the Constitution, wherein education is the problem of the state. Mr. President, I submit that it should not be a problem which is saddled on the tax payer in the first-class school districts.

I have heard, by figures, when this \$48,000,000 is appropriated to all the school districts in the state, that the Governor's office has said "now we are paying forty-two per cent of the educational cost of the state." Thank God, Mr. President, that we pay something to some of the communities in some places, because the figures that I have show that Pennsylvania ranks thirty-sixth out of the forty-eight states in what the state gives back to the local communities. In other words, Mr. President, of the money taken in by the state from taxes, Pennsylvania returns to the local communities a measly figure of 14.9 per cent. I submit to you, Mr. President, that we shall have more to say on this subject tomorrow.

However, there is one other subject I want to bring up. There is a gentleman on the other side who made a statement; whether he did it out of his own mind or whether he was persuaded by the debate that was going on this evening, to make that statement he made, in my opinion

it was in poor taste—he may have misconstrued the words of my fine friend, my sincere friend, Senator Dent. But I will never forget two years ago—and Senator Heyburn well remembers this—when I happened to live in Room 1804 of the Harrisburger Hotel and Senator Dent lived in 1704. As usual, after dinner we went up to our rooms to refresh ourselves, when we were going to have an evening session, and I said "Johnny, I will come down and stop for you and we will go up to the Hill together." As I got to his door I heard a loud burst of tears; just at that moment he had heard of the death of his brother, who had served in the China-India-Burma theater of war. As Senator Heyburn well remembers, we came up and spoke to him—told no one else in the Senate—and asked whether that evening we could call up first the unemployment compensation bills and the workmen's compensation bills, and we told Senator Heyburn just what had happened. Mr. President, I have never in my life ever seen a more courageous job done under such circumstances as Senator Dent did that evening, and I know that the gentleman on the other side who were made aware of that after the occasion had occurred well remember it also.

But, Mr. President, going back to the bill before us, I ask the gentleman on the other side who have so graciously now voted to tax the people in Pittsburgh a per capita tax, a personal property tax and a mercantile tax, and God save us if we get that monstrosity of Senator Frazier's, a gross receipts tax back home, to just allow us a wee bit—in other words, Mr. President, we are asking for an additional \$755,000 out of \$48,000,000. If you are not gracious enough to do that, it is a message back to the people in the first-class districts that the political bosses, and I do not mean the Education Board in Philadelphia, but I do accuse right on this floor at this moment Dave Harris, the Republican leader of Philadelphia, of selling out the people of Philadelphia and at the same time trying to sell out the citizens of Pittsburgh.

Mr. WAGNER. Mr. President, inasmuch as this probably will be the last move on this bill tonight, I trust I may have indulgence to just say a few words about this Pittsburgh and Philadelphia situation.

A gentleman in England during the war promised his people nothing but blood and sweat and tears. Well, we did not quite have bloodshed but, for the information of the Senator from Allegheny, I think it is only fair to state that we had sweat and tears on the part of the Allegheny and Philadelphia county Republican Senators in their desperate efforts to do exactly what has been proposed in these amendments.

Mr. BARR. Mr. President, will the gentleman from Schuylkill yield for a moment? I notice he said Philadelphia and Allegheny Republican Senators, and that is the point at issue in this whole bill, that never to my mind has anyone from a first-class district been called in on any of those conferences with the exception of one day, up in Room 402, when Representative Costa of the city of Philadelphia was allowed, as a representative of a first-class district, to sit in at a meeting of the combined committees of education of the House and Senate to discuss what was needed in the first-class districts.

Mr. WAGNER. Mr. President, I do not care to debate the personalities of it—I had no part in the appointing of the committee, I sat in with them by invitation. But I

repeat to the gentleman who just spoke that he could not fight more valiantly where it counts for Pittsburgh and Philadelphia than have the Republican Senators from those counties. More of us than they might think are very fond of Philadelphia and very fond of Pittsburgh. I go to Philadelphia frequently and have a nice time; my family will probably hitch-hike down there today to hear the Music Festival. I teach a Sunday School lesson about life once in a while and talk about the Pittsburgh smoke that I saw in traveling through Western Pennsylvania, and also recall some pleasant experiences there.

However, Mr. President, I think it is only fair that we examine the Philadelphia and Pittsburgh situation so that some of those very grand school people whom I have learned to know well in the last six year, who have spent considerable of their time here in the interests of their schools, their subsidies and their salaries, will understand there is no discrimination or prejudice against them.

The state of Pennsylvania decided to do something about what educators have asked for for generations, something about seeking equalization of educational opportunity, and two years ago the state of Pennsylvania did just that. We set up a figure of \$1,800 as the least amount of money that ought to be spent for any group of twenty-two pupils in a high school, or thirty-two in an elementary school and in order to guarantee equalization of opportunity, the state said, "that is \$1,800 for each group of children, whether it be in Philadelphia, Pittsburgh or Cranberry Junction" and the state also said "We want you to raise locally just five mill of this, based upon your local assessed valuation as used for county purposes." Pennsylvania did not tell them what figure to use. Pennsylvania did not determine the real estate values in Allegheny county or in Philadelphia county. We said "You tell us, according to your valuations and the riches back home, how much you can pay on a five mill basis." We said the same to Pittsburgh as we said to Tamaqua, and when they gave us that figure we provided the difference between that and \$1,800 in the outlying rural districts. But we did something more in Philadelphia and Pittsburgh. We found they were richer than we thought and when their figure came in to show what they could pay, they were far under this \$600 minimum subsidy which had been set by the state.

As a matter of fact, I say to the Senator from Allegheny, Senator Barr, that where my school district only gets the actual difference between their five mill local rate and \$1,800, Pittsburgh and Philadelphia get far more than they would be entitled to on that basis. Under Act 403, if it were not for the minimum subsidy which was set up, Pittsburgh would have been entitled to \$78 per teaching unit. Pittsburgh is over-paid to the extent of approximately \$1,500,000 per year, and Philadelphia, on the same ability-to-pay basis, is over-paid \$2,611,000 per year. These were the rules and they are favoring nobody.

The government says to me, if I make \$10,000 a year, that I shall pay a tax according to the government's rules; if another gentleman makes \$20,000 a year, he must also pay according to his capacity to pay, to help the government, and that is why Pennsylvania set up subsidies to run its school system.

If the gentleman from Allegheny is right that they are

abused, then it must be true that our subsidy system in Pennsylvania is wrong, and yet the National Educational Association, whose decisions and whose pronouncements are accepted almost as biblical for educators, said that the system set up in Pennsylvania in 1945 made it the number one state in the union in fairness of distribution of school funds, and that is a matter of record.

What happens in Philadelphia and Pittsburgh is something like this: the two counties, Allegheny and Philadelphia, account for forty per cent of the total capital investment in manufacturing industries in the state; thirty-nine per cent of the value of products manufactured in Pennsylvania, and forty per cent of the value added by the manufacturing industry in all of Pennsylvania, are found in those two counties.

You have either got to keep the rule in balance, you have either got to follow our schedules, which have been rated number one in the country, or, like Paul Bunyan, you have got to pull something out of the hat in an arbitrary manner and give something to one district and not to another.

I ask the Senate to vote "no" on these amendments to keep the subsidies in proportion.

Mr. FRAZIER. Mr. President, I am somewhat concerned and annoyed at the scolding that the distinguished Senator from Allegheny has given me, but I am more concerned and annoyed at his charge that Dave Harris has sold out Philadelphia.

Mr. President, I think this young gentleman should realize that it has always been the obligation of the rich to take care of the poor. In the great state of Pennsylvania the rules have been set up and we must all play the game according to the rule; the rule that provides that the wealth of Philadelphia and the wealth of Pittsburgh must take care of some of the poorer parts of the state. The same provision provides nationally, where the rich states along the eastern coast contribute to the poorer and less successful states in the western part of the United States.

But when we, in our desire to raise \$6,000,000 to help this program along and we created a plan which was approved by the Governor, and then, when by distinguished, friend, Dave Harris, is charged with selling out Philadelphia, I think that is a calumny that ought not be allowed and permitted and I will not stand for it.

I believe that this monstrosity that I have created was created with a great deal of wisdom and a great deal of thought, and if the distinguished Senator from Allegheny had the brains I thought he had, he would grasp the opportunity to take this monstrosity, because it would permit them, probably to avoid this head tax, which is no more than an exaggerated poll tax, which we outlawed years ago.

It is only regretful to me that the situation has been created, not from my making, but because the democratic Board of Education of Allegheny county tried to play ball with Philadelphia.

Mr. BARR. Mr. President, will the gentleman from Philadelphia yield for a moment?

Mr. FRAZIER. No, Mr. President, I would like to finish what I have to say.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a Point of Order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, the gentleman from Philadelphia has made a gross misstatement about the Board of Education of Allegheny county.

The PRESIDENT. The gentleman from Allegheny will not interrupt. The Senator from Philadelphia has the floor. The point of order of the gentleman from Allegheny is not well taken.

Mr. FRAZIER. Mr. President, I will state the facts and the members of this Senate can determine where the error was and where the politics lay.

Two weeks ago, in a conference with the Governor of the state of Pennsylvania, I sat with Mr. Harris from Philadelphia and we determined upon a program, a program that was going to permit us to go on with the bill Senator Geltz had introduced, divorcing Philadelphia and Pittsburgh, and which was introduced a week before this conference.

At that conference, Mr. President, it was agreed that we in Philadelphia would have our own plan, which was to be a mercantile tax and a personal property tax, and Allegheny county was to have a head tax, because they thought it might be wise, and an added real estate tax, but what they proposed to do there was no concern of mine.

The Governor shook hands with us and agreed that we in Philadelphia would carry out our program.

To my amazement, when I came back the following Monday, the program was scrapped, the divorce was not to take place, and the Board of Education in Allegheny county, which I understand is democratic, and the Board of Education in Philadelphia, had decided that they would stay married—I do not know why—and in order that they stay married they would take my mercantile tax.

I also found out that the \$3,000,000 revenue which the city of Philadelphia obtains from a personal property tax might be jeopardized by this program, but I did not change it. We just broadened the base of our mercantile tax and created this monstrosity which is now the subject of criticism but which monstrosity I believe will be instrumental in making it necessary to collect a personal property tax, and if Allegheny county would adopt this they would not have the monstrosity of a head tax out there.

Mr. HOLLAND. Mr. President, I believe my colleague from Westmoreland, Senator Dent, said in the beginning of these remarks that he did not think all the brains or information available on boards of education, or on education as a whole here in Pennsylvania, were on the Republican side, and there has just been demonstrated in very plain language the lack of knowledge on education in Pennsylvania.

The gentleman from Philadelphia, as usual, got up here and said that the board in Allegheny county was a Democratic school board. First of all, Mr. President, the board in Allegheny county—we are speaking of Pittsburgh, Allegheny county and Pittsburgh, their school districts are altogether different. And for the information of the gentleman from Philadelphia, so that he will be enlightened and not be confused, I would like him to know that the Board of Education in Pittsburgh is not run by any politicians. It is one of the finest boards that was

ever appointed. It was appointed by judges interested in education, and I can say without fear of contradiction from anyone that no one can point a finger at that board and say that it is either a Democratic or Republican board, because it is a board for the benefit of the schools of Pittsburgh and the only interest they have is betterment of education in Pittsburgh.

I am sorry the gentleman from Philadelphia, who is so much in love with a man by the name of Dave Harris, could not at least get away from his love for Dave Harris for a moment and not confuse that with the educational system, because I say to the gentleman from Philadelphia, Senator Frazier, you are the first member in the Senate who injected politics into this educational bill, by getting up on the floor and saying Sam Harris or Mike Harris or Dick Harris—I don't remember which one it was—Dave Harris from Philadelphia told the Board of Education what they should have and went to the Governor and said to the Governor, with the great help of the most able lawyer of Philadelphia, the Senator from Philadelphia, Mr. Frazier, talked this matter over with the Governor, and the Governor said "Well, Dave, if that is what you want for the Board of Education and the schools of Philadelphia, we will give it to you."

Mr. President, I do not think, knowing Jim Duff as I do, that he would agree to that type of petty politics. I have more respect for Jim Duff and I have known him over a number of years. For your benefit, Mr. Heyburn, I have known him since I have been a kid.

If you want to interrogate me, Mr. Heyburn, I wish you would take the floor.

Mr. BARR. Mr. President, may we have order; the gentleman is entitled to be heard.

The PRESIDENT. The Senate will be in order; the gentleman is entitled to be heard.

Mr. HOLLAND. I would like to go into a few statements, Mr. President, made by my colleague from Schuylkill, Senator Wagner, and I wish to grant that Mr. Wagner has a lot of interest in education, but when he says other states are taking the Pennsylvania formula as an example or as a way of solving the educational problem, I say to Mr. Wagner that is not true.

First of all, Mr. President, this formula is the most damnable formula that was ever written because of what it does; it absolutely does one thing, it encourages and gives money to dishonest assessments in the state of Pennsylvania. We in Pittsburgh and in Philadelphia—for Mr. Frazier's benefit; I hope he listens, he may get some knowledge, a little bit of knowledge which I have secured through serving on education committees, not only of the state, but once in Congress.

In this Senate each session we come here and we say the next session we are going to correct the evil and each session we do the same thing; we make a lot of promises and that is the end. Each session ends in one way, dishonest assessors in the state get for their school districts dishonest money. We in Pittsburgh have an honest assessment Board. For the information of the gentleman from Philadelphia, Senator Frazier, and I know this may sound something terrible to him, coming from that great political city of Philadelphia, our assessment board in Allegheny county is all non-political—six of our members were picked by the Real Estate Board of

Pittsburgh—and we know that when they make an assessment is an honest assessment and Dave Harris can not reach that type of board to change those assessments.

For your information, Mr. President, I think it would be well to have a brief explanation on the record as to how this money is derived.

First of all we divide the assessed valuation by the number of teaching units. Say, for instance, if you had \$1,000,000 assessment and you had twenty teaching units, you would divide one million by twenty, which would give you wealth behind each teacher of \$50,000. Then you multiply the quotient that is obtained by five mills. In this case we would have \$50,000 which, multiplied by five mills, equals \$250.

Next you subtract this product—and I want you visitors here to know that these lawyers always makes these things complicated so that the poor taxpayer can not read it or even understand it—next you subtract this product from the basic equalization amount for the 1945-1947 biennium per teaching unit—say for instance \$1,800—which would give \$1,550.

Next you take the remainder obtained by the basic equalization amount to get the standard reimbursement fraction, which in this case is \$1,500 over \$1,800, or eighty-six per cent.

Finally, Mr. President, to get the district's appropriation on account of teachers' salaries, multiply the standard reimbursement fraction times the number of teaching units times the basic equalization amount. In this case, Mr. President, using this figure, eighty-six per cent multiplied by twenty, multiplied by \$1,800, equals \$31,000. If this district is paying its average teacher \$1,800, it is apparent that eighty-six per cent of teachers' salaries come from the state. The average teachers' salary in Pennsylvania at this time is around \$1,600.

You can see what happens where a school district uses a full assessment. What you are doing to Pittsburgh and Philadelphia by a full assessment is cheating them out of what rightfully belongs to them.

If you were fair and wanted to write a fair bill, and regardless of what is said here tonight, you of the majority party have that responsibility of writing an honest bill—I have heard member after member, including the two Republican members from Pittsburgh, Senator Geltz and Senator Walker, at teachers' meetings, I have heard these two same Senators time and time again stand before teachers in Pittsburgh and tell them if they were elected they would see that this evil was corrected. They are back here again but they have not corrected the evil and again Pittsburgh and Philadelphia are being cheated out of their fair appropriation.

Now you have left this bill go to the dying days of this session and it is one of the most important bills in the Senate, and you are going to railroad it through—you have the votes.

This bill is the most unfair bill, the most dishonest bill, as far as the counties which have full assessments are concerned, which you could write.

There is only one fair way, if you want to be fair and honest, and that is to appropriate this money by the pupil, by giving so much money for each pupil, and regardless of what district they are in they should get the

same amount of money from the state, because what you are doing, you are saying to the county, go out and be dishonest in your assessments and the next session of the Legislature the General Assembly will give you more money. It is dishonest, it is encouraging dishonestly in political matters, and I do hope the gentleman from Philadelphia, the next time he gets up and compares his district to the city of Pittsburgh, knows what he is talking about. We have a good Board of Education, we are proud of it, it is non-political and if Dave Harris—and I do not think he does, he might pretend to—if Dave Harris is running the schools of Philadelphia, I am very proud to say that there is no politician in the city of Pittsburgh running our schools, because they are run by real Americans on the Board of Education who are interested only in education and the pupils in the schools.

Mr. FRAZIER. Mr. President, I am terribly chagrined and I feel properly scolded and I want to deeply apologize to the distinguished Senator from Allegheny if I have in any way offended his delicate sensibilities. I am very sorry I ever thought for a minute they ever play politics in Allegheny county and I again apologize.

Mr. ROSENFELD. Mr. President, sitting here reminds me of the period of debate that occurred two years ago, and I remember distinctly at that time, and it was about this time that I was finally recognized and had the last word on the matter.

As I stand here before you and recall, as Senator Holland intimated, that these same debates have occurred and reoccurred for the past five or six sessions, always during the last week of the session. I can conclude only that what we are doing, what we think we are accomplishing for the school teachers of this Commonwealth, is nothing but piecemeal efforts, a patchwork proposition, to cover the situation for the moment.

The gentleman from Schuylkill, Senator Wagner, I think touched the crux of the problem when he stated—I may not quote him too accurately—but when he stated generally that the Commonwealth is in effect forced into this position because some communities are better able to afford to take care of their teachers than others.

Unfortunately, under the formula and the set-up that we now enjoy in this Commonwealth, that is true. Basically the problem is one of money. No matter how we argue it, it is one of money and where the money is to come from. If we applied the principle as stated by the gentleman from Schuylkill, Senator Wagner, we would have no such problem because if that principle were applied to the citizens throughout this Commonwealth and the basis for taxation was upon the ability to pay, then we would have enough to take care of the school districts as they should be taken care of and there would be no problem and no recurrence of this situation every two years.

However, Mr. President, I know from past experience that is not for the present and I am able to envision, two years from now, if God spares me and my electorate supports me, that I shall be back here within forty-eight hours of the death knell of another session, having perhaps the last word again on this same issue.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BARR, and were as follows, viz:

YEAS—16

Barr.	Holland.	Leader.	Ruth.
Dent.	Jaspan.	Margie.	Stiefel.
DiSilvestro.	Klein.	Rahauser.	Tarr.
Haluska.	Lane.	Rosenfeld.	Woodring.

NAYS—32

Becker.	Farrell.	Mahany.	Wade.
Berger.	Frazier.	Mallery.	Wagner.
Blass.	Geltz.	Scarlett.	Walker.
Carr.	Heyburn.	Snowden.	Watson.
Chapman.	Homsher.	Stevenson.	Wilson.
Crider.	Kephart.	Tallman.	Wolfe.
Crowe.	Letzler.	Taylor.	Wood, L. H.
Doehla.	Lord.	Tyler.	Wood, T. N.

PRESENT—2

Donlan.	Hare.
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So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. KLEIN. Mr. President and gentlemen of the Senate, as we approach the end of the 1947 session of this General Assembly it is quite apparent that House Bill 417, as amended, represents the best that the teachers of Pennsylvania can expect. I intend to vote for House Bill 417.

However, I want to say to you, Mr. President and gentlemen of the Senate, this bill does not represent fulfillment of the promises made to the teachers of this Commonwealth nor does it give to them the fair deal to which they are entitled. Pennsylvania, the greatest state in this Nation, in my opinion, should be the leading state in the field of education.

Mr. WOODRING. Mr. President and members of the Senate, on the question of whether we will agree on House Bill 417 as amended, as a representative of a county which has in its two second-class school districts it seems to me we have not heard anything about second-class districts. We have heard about the first-class districts, and I sympathize with their problems. The teachers in first-class districts, under the amendments presented by the gentleman from Lancaster, Senator Homsher, are to get an increase in their increments from \$175 to \$200 a year, but as I read the bill with all the amendments, the second-class district teachers are virtually forgotten.

There are twenty large second-class districts in the Commonwealth of Pennsylvania. We are doing something—and I think a fine job—for the fourth-class districts, and a little bit for the third-class districts, but it seems to me that the burden, the penalty for honest and faithful service, falls on the teachers of second-class districts.

While I am not going to raise my voice in dissent on second passage of House Bill 417, I am not at all happy at the penalty that we are putting on the teachers in the twenty-second-class districts in the Commonwealth.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT, and were as follows, viz:

YEAS—33

Becker.	Farrell.	Lord.	Tyler.
Berger.	Frazier.	Mahany.	Wade.
Blass.	Geltz.	Mallery.	Wagner.
Carr.	Heyburn.	Scarlett.	Walker.
Chapman.	Homsher.	Snowden.	Watson.
Crider.	Kephart.	Stevenson.	Wilson.
Crowe.	Klein.	Tallman.	Wolfe.
Doehla.	Letzler.	Taylor.	Wood, L. H.
			Wood, T. N.

NAYS—15

Barr.	Holland.	Margie.	Stiefel.
Dent.	Jaspan.	Rahauser.	Tarr.
DiSilvestro.	Lane.	Rosenfeld.	Woodring.
Haluska.	Leader.	Ruth.	

PRESENT—2.

Donlan.	Hare.
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So the question was determined in the affirmative.

Ordered, To be transcribed for a third reading.

Mr. WAGNER. Mr. President, I wonder if those who voted "no" on the passage of this bill on second reading realize that if we had all done that we would have virtually assured no additional school moneys.

Mr. DENT. Mr. President, a vote "no" is a vote against the bill as it is now written; those of us who protest against the treatment of the school program that has been committed here with regard to the school teachers and their requests, reasonably presented for a raise, register our protest by a "no" vote.

I am willing to submit, Mr. President, that if the Democratic members of this Senate were not willing to subjugate their will in the matter of this legislation as it now appears before this Senate, they would have to vote "aye", but we register a protest because we feel, Mr. President, that this bill does not give to the school teachers of Pennsylvania, and to education itself, as represented by increases in salaries to the school teachers of this Commonwealth, that which they are justifiably entitled to, and so we register that vote regardless of what the implications are, because we know full well no matter what our opinion may be in the matter, it is steam-rollered by the majority vote that is taken, regardless of the merits of any of the amendments that we may offer.

HOUSE MESSAGES

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 827

The Clerk of the House of Representatives being introduced, informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools; providing for contractual liability; conferring powers and imposing duties on the State Council of Education; and prescribing penalties.

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 720

He also informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof; conferring powers and imposing duties upon the State Board of Private Business Schools; and prescribing penalties.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 195 AND APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties; and making an appropriation.

and has appointed Mrs. DYE, Messrs. BRUNNER and LOVETT, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 195

Mr. TALLMAN. Mr. President, I move that a committee of conference on the part of the Senate be appointed on House Bill No. 195.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. CARR, BERGER and HOLLAND as a committee of conference on the part of the Senate to confer with a similar committee of the House already appointed) to consider the differences existing between the two houses in relation to House Bill No. 195.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 826 AND APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 826, entitled:

An Act relating to strikes by public employes, providing that such employes by striking terminate their employment; providing for reinstatement under certain condition and prohibiting strikes by public employes.

and has appointed Messrs. ROBERTSON, BOWER and COLE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the difference existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 826

Mr. TALLMAN. Mr. President, I move that a committee of conference on the part of the Senate be appointed on House Bill No. 826.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of

the President pro tempore the appointment of Messrs. GELTZ, FARRELL and DENT as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 826.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 952 AND APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, p. 2897), entitled "Unemployment Compensation Law," by further defining employes ineligible to compensation.

and has appointed Messrs. REESE, RILEY and CAPANO as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 952

Mr. TALLMAN. Mr. President, I move that a committee of conference on the part of the Senate be appointed on House Bill No. 952.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. HEYBURN, BERGER, and DENT, as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 952.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 614, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1114, entitled:

An Act to amend clause (e) of section three hundred two and section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the issuance of watcher's certificates and the compensation of watchers.

Which was committed to the Committee on Elections.

House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conversion and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditions for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected; to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals and imposing penalties, and making appropriations.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1354, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," exempting motor vehicles of war amputees obtained through the Veterans' Administration from the payment of registration fees.

Which was committed to the Committee on Highways.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1098

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 12, 1947.

Resolved, (If the Senate concur), That House Bill No. 1098, Printer's No. 362, entitled:

An Act to further amend sections two and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law," by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 1099

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, June 12, 1947.

Resolved, (If the Senate concur), That House Bill No. 1099, Printer's No. 364, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by clarifying the powers and duties of the institution districts.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 92

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 92, entitled:

An Act to amend section one of the act, approved the fifth day of April, one thousand nine hundred twenty-nine (P. L. 170), entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth, and imposing liability for costs upon the county in certain cases," increasing the fees and costs in certain cases.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 93

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 93, entitled:

An Act to amend section one of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1103

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1103, entitled:

An Act to amend section two hundred seven of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," requiring the recording of corporation charters.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1214

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1214, entitled:

An Act to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine, approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' changing the system of distribution.

HOUSE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO SENATE BILL
No. 633 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act

and has appointed Messrs. BOIES, GIBSON, and MILLS, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

SENATE BILL No. 760, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 760, entitled:

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven, eight hundred two and eight hundred seven, and to amend subsection (b) of section three, Article 11, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill will be laid on the table.

SENATE BILL No. 570, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill will be laid on the table.

SENATE BILL No. 822 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona, Blair County, Pennsylvania, containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill will be laid on the table.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 454

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen and three hundred twenty-one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 454

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 502

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 502, entitled:

An Act to further amend sections four and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled, "Beauty Culture Law," by further regulating the eligibility requirements for examinations and the proceedings to revoke or suspend licenses and certificates.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 502

Mr. TALLMAN. Mr. President, I move that the Senate

insist upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 822 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 822, returned from the House with amendments, for consideration at this time.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the Township of Logan, Blair County, Pennsylvania, containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 3, by striking out after the word "the" and before the word "Blair", the following: "city of Altoona" and inserting in lieu thereof the following: "Township of Logan".

Amend Section 1, page 2, line 5, by striking out after the word "the" and before the word "Blair", the following: "city of Altoona" and inserting in lieu thereof the following: "Township of Logan".

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 822

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 822.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridger,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection?

Mr. TALLMAN. Mr. President, as I understand it, the order of business before the Senate at this time is the matter of the calendar, which was interrupted in order that printing time might be saved, so that communications from the House could go across the desk, and for that reason I object at this time to presentation of a resolution by the gentleman from Westmoreland, as being not in order.

Mr. DENT. Mr. President, during a session we always grant, at the right moments, privileges of the Senate for any purpose that a Senator might desire. Whether we interrupt the procedure for the reading of House messages or whether we interrupt the proceedings for the individual pleasures and purposes of a Senator, that is the privilege of the Senate as a whole.

Mr. President, I do not at this time appreciate the objection to the reading of the resolution. If we are going to strictly adhere to the rules of this Senate in all matters I fully subscribe, Mr. President, to that procedure. If, however, we are going to accord to one a privilege we do not accord to another, I do not subscribe, Mr. President.

Therefore, Mr. President, we shall allow the objection to sustain but I assure the majority that rarely do I take the position that I will now take, and every rule of the Senate will be enforced, including those of the Constitution.

Mr. TALLMAN. Mr. President, I am terribly sorry that there should be any misunderstanding of the objection and I am terribly sorry at this late date during the session the relationship, the very pleasant one, which existed between the gentleman from Westmoreland, Senator Dent, as minority leader, and myself as majority leader, should be strained, and I trust that it may not be so.

I think the gentleman from Westmoreland, for the men on his side, as well as myself for the men on this side, are anxious to do the work that needs to be done. We are faced with a printing problem. I certainly have no objection and do not want to be understood as trying in any wise to interfere with the right of the gentleman from Westmoreland to present his resolution.

As I understand it, the resolution which he is going to present will be one which will be the subject of some discussion by himself as well as by members on this side of the Chamber, and I feel that it will be mutually advantageous to the men on that side of the Chamber if we may be permitted to go forward with this order of business, so that we may not have to sit here all night, too many nights in a row in order to permit the printer to catch up with the work that is being done here, and that is the only reason for my objection, I assure the gentleman from Westmoreland, and when that order of business is over he certainly has the right to take as much time as he chooses to take in the presentation of that matter and I trust very earnestly we may not strain this thing by more than necessary unpleasantness.

SECOND READING CALENDAR
BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by prothonotaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 798, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such

mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," providing that chattel mortgages need not be acknowledged nor witnessed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 800, entitled:

An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced

The first, second, third, fourth, fifth, sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend page 9, by inserting between lines 12 and 13 the following new section: "Section 8. If any section, provision or part of this act shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining sections, provisions or parts of this act. The Legislature hereby declares that it would have passed the remaining sections, provisions or parts of this act if it had known that such sections, provisions or parts thereof would be declared unconstitutional"; Amend Section 8, page 9, line 13, by striking out the following numeral: "[8]" and inserting in lieu thereof the numeral "9".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend the title of the act by adding on page 2, after the last word of the title, the following: "providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the supreme court and superior court,"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

Mr. HALUSKA. Mr. President, I desire to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 8, page 9, line 13, by striking out the part word "in-"; Amend Section 8, page 9, line 14, by striking out all of said line and inserting in lieu thereof the following: "the first day of January, one thousand nine hundred forty-eight,"

On the question,

Will the Senate agree to the amendments?

Mr. HALUSKA. Mr. President, I would like to explain my amendment. I have not altered the bill in any way shape or form, with the exception of making the effective date January 1, 1948. This is a revolution in politics and especially in taxation, and the bill provides they shall have thirty days' notice from the time the taxing body shall pass an ordinance or resolution.

Mr. President, I do not believe that our local taxing bodies are qualified sufficiently to be able to digest this bill. I know personally that we have men now serving as councilmen and school directors who have the office by default and certainly those men should not be called upon to pass judgment upon such a bill.

This bill, Mr. President, is one of the most dangerous bills ever placed before any body for a vote. Under this bill a taxing body can tax anything they see fit that is not now taxed by the Commonwealth. They may go as far as taxing pew rent in a church; they can tax your shirttail; they can tax your grandmother's teeth, there is no limit to it. I oftentimes wonder why we assemble here as members of the General Assembly and then pass on to the communities back home such broad powers.

I wonder where it is going to lead to. It takes a lot of courage to write such a bill and more courage to vote for it. If ever we are placing our properties in jeopardy it is under this bill and despite the bill as written I am only asking that we delay the effective date until the first day of January, in order to give the local authorities sufficient time to analyze the bill and determine what may be taxed, if anything.

I do not think it is a bad amendment, I think it will favor all of us, and I trust that this Senate will consider this amendment.

Mr. DENT. Mr. President, I am having some amendments prepared to House Bill No. 800 which are not yet ready, and therefore I am going to ask the privilege of the Senate, or the courtesy of the majority, to have the knowledge that tomorrow on third reading I may have the opportunity to present those amendments.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on second reading as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 814, entitled

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by removing certain restrictions for a limited period of time, as to the licensing of veterans' organizations.

And said bill having been read at length the second time, It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 817, on second reading, entitled:

An Act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 822, on second reading, entitled:

An Act to add section four point one to the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," limiting and regulating the liability of chattels for subsequent purchases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 823, on second reading, entitled:

An Act to add section eleven point one to the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales and to make uniform the law relating thereto," limiting and regulating liability of goods for subsequent purchases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 824, on second reading, entitled:

An Act limiting and regulating liability of goods wares and merchandise purchased under bailment lease contracts for subsequent purchases and limiting the rights of bailors in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 922, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Woodville State Hospital to acquire a certain tract of land adjacent thereto for the use of said hospital and making an appropriation therefor.

The first second was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendment:

Amend Section 1, page 2, line 1 by inserting after the word "Hospital" the following: "and the Board of Trustees of Woodville State Hospital."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. TALLMAN offered the following amendment:

Amend title, page 1, line 3 of title by inserting after the word "Hospital" the following: "and the Board of Trustees of Woodville State Hospital."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 949, on second reading, entitled:

An Act to authorize political subdivisions and agencies

thereof and municipality authorities to participate in the Federal Social Security program in order to secure coverage for their officers and employes under the old-age and survivors insurance provisions of the Federal Social Security Act upon the extensions of the provisions of such Federal act to include such persons.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 957, entitled:

A Joint Resolution proposing an amendment to article nine of section four of the Constitution of the Commonwealth of Pennsylvania increasing the maximum amount of State debt to supply deficiencies in revenue.

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 962, entitled:

An Act to further amend the third paragraph of subsection C of section five hundred one of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" increasing the membership of the banking board and the number of appointments to that board by the Governor

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1000, entitled:

An Act to further amend section eight and to amend section nine of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326)

entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" authorizing the director of veterans' affairs to join in the formation of a State association and the payment by such counties of certain expenses in connection therewith

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1170, on second reading, entitled:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chairmans none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1210, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1338) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent dependent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases"

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend page 2 by inserting before line 1 the following: "Section 1. Section twenty-one is hereby amended to read as follows:

Section 21. [Publication of Existing] Regulations. All regulations of any agency which are in effect on the effective date of this act, or which shall be [promulgated] adopted [within ninety days] thereafter, shall [expire one hundred days after the effective date of this act,] have no effect unless they are printed and made available upon written request within thirty days after the date of adoption. [codified, indexed and filed within said period of one hundred days for publication in the Pennsylvania

Register. Regulations promulgated after ninety days and within one hundred fifty days after the effective date of this act, shall expire one hundred sixty days after the effective date of this act, unless filed for publication in the Pennsylvania Register within said period of one hundred sixty days.]; Amend page 2, line 1, by striking out after the word "Section" and before the word "The" the following figure: "[1]" and inserting in lieu thereof the following figure: "2"; Amend page 2, line 1, by striking out after the figure "1" and before the word "act" the following: "[The]" and inserting in lieu thereof the following: "Sections twenty-two and twenty-three of the"; Amend page 2, line 7, by striking out after the word "cases" and before the word "hereby" the following: "[is]" and inserting in lieu thereof the following: "are".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendments:

Amend page 1, line 1, of the title, by striking out after the word "To" and before the word "the" the following: "[repeal]" and inserting in lieu thereof the following: "amend section twenty-one and to repeal sections twenty-two and twenty-three of"; Amend page 1, line 8 of the title, by inserting at the end thereof the following: "to provide for the printing and making available regulations promulgated by agencies".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1211, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1392) entitled "An act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collection; defining and prohibiting unfair sales of cigarettes: conferring powers and

imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing remedies for violations, and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1338, entitled:

An act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies, except in cities where dog license fees are paid into the city treasury.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1340, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1343, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1343, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1345, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of May one thousand nine hundred forty-seven (Act No. 102 P. L.) entitled "An act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties" by designating the nature of the tax by clarifying the provisions relating to the imposition thereof and by redefining certain terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RULE 21 SUSPENDED FOR REMAINDER OF SESSION

Mr. TALLMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be dispensed with for the remainder of the Session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 760 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 760, for consideration at this time.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 760, entitled:

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven, eight hundred two and eight hundred seven, and to amend subsection (b) of section three, Article 11, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 4 of the title, by striking out

after the word "amend" and before the word "of", the following: "subsection (b)" and inserting in lieu thereof, the following: "subsections (B) and (D)"; Amend Section 1, Section 501, page 6, line 5, by striking out after the word "examinations" and before the word "be", the word "shall", and inserting in lieu thereof the word "may"; Amend Section 1, Section 501, page 6, line 6, by inserting after the word "and" and before the word "competitive", the following: "shall be"; Amend Section 1, Section 501, page 7, line 4, by striking out at the beginning of the line and before the word "the", the following: "who has passed the examination" and inserting in lieu thereof, the following: "remaining on the register"; Amend Section 1, Section 501, page 7, line 7, by inserting after the word "of" and before the word "administrative", the word "other;"; Amend Section 1, Section 501, page 7, lines 7, 8 and 9, by striking out after the word "districts" on line 7, and before the word "[Any]" on line 9, the following: "which are contiguous or nearby to the administrative district in which there is no person on the appropriate eligible list"; Amend Section 1, Section 507, page 10, line 3, by inserting after the word "Lists" and before the part-word "Ap-", the following: "all existing employment and promotion lists are hereby cancelled provided however that the right of return to employment by employes on leave of absence or furlough shall be preserved hereafter"; Amend Section 3, page 16, by inserting between lines 7 and 8, the following: (d) "Unclassified service" means all positions now existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonwealth the first deputy heads thereof the executive director of the State Civil Service Commission and the person appointed to administer the Federal-State employment service and the unemployment compensation work of the Department of Labor and Industry"; Amend Section 3, Section 806, page 26, line 2, by inserting after the word "resignation]" and before the word "No", the following: "Upon the request of an appointing authority and with the approval of the commission an employe may be reinstated in the classification from which he has resigned."

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 760

Mr. TALLMAN. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 760.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 570 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 570, for consideration at this time.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one, four, five and six of the act, approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 151), entitled "An act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction, and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof", by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, first line of title, by striking out after the Roman numeral II, and before the word "dry", the following: "and synthetic" and inserting in lieu thereof, the following: "Class III"; Amend Section 1, page 3, line 2, by striking out after the word "tester" and before the quotations before the word Class, the word "and"; Amend Section 1, page 3, line 3, by striking out at the beginning of the line and before the word "dry," the following: "and synthetic"; Amend Section 1, page 3, line 6, by striking out at the beginning of the line and before the word "having", the following: "synthetic solution"; Amend Section 1, page 3, line 7, by inserting after the parenthesis and before the word "Sections", the following: "and "Class III dry cleaning and dyeing plants" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of synthetics and other types of solvents which are not covered in Class I and Class II plants and do not contain flash point ingredients Class III or synthetic plants shall be of mill or slow burning construction in all other respects they shall comply with the provisions of sections two to five inclusive of this act except that steam fire extinguishment pipes will not be required for the rooms washers or tumblers"; Amend Section 1, page 3, lines 8 and 9, by striking out after the word "act" on line 8, and before the word "apply" on line 9, the following: "approved the seventh day of May one thousand nine hundred twenty-three (Pamphlet Laws 151) as amended and inserting in lieu thereof the following: "hereby amended shall"; Amend Section 1, page 3, line 10, by striking out after the

word "and" and before the word "dry", the word "synthetic" and inserting in lieu thereof the following: "Class III"; Amend Section 1, page 7, line 1, by striking out after the word "and" and before the word "dry", the following: "synthetic type of" and inserting in lieu thereof the following: "III".

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 570

Mr. TALLMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 570.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE OF CONFERENCE ON SENATE BILL No. 633

Mr. HOMSHER. Mr. President, I ask unanimous consent to make a report from a Committee of Conference.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. HOMSHER. Mr. President, I desire to offer the report of the Committee of Conference on Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain officers and employees of cemetery companies engaged in selling cemetery plots from the provisions of the act.

The PRESIDENT. The report of the Committee of Conference will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE from the Committee on Mines and Mining, reported as amended, House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operator to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER from the Committee on Corporations reported as committed, House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change, alter, and amend by by-law such provisions of their charters as are purely administrative and validating such changes, alterations and amendments heretofore made.

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education reported as committed, House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

He also, from the Committee on Education, reported as committed, House Bill No. 1090, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for medical examiners in lieu of medical inspectors, and prescribing their duties, making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

He also from the Committee on Education, reported as committed, House Bill No. 556, entitled:

An Act to further amend the second paragraph of section one thousand four hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and

the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" empowering the State Council of Education to prescribe and adopt rules regulations standards and qualifications governing the transportation of pupils.

He also, from the Committee on Education, reported as amended, House Bill No. 1041, entitled:

An Act to provide for the minimum salaries, qualifications, classification, leaves of absence, and regulations of the administrative officers, heads of special service departments and faculties of state teachers colleges.

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LLOYD H. WOOD, from the Committee on State Government, reported as committed, House Bill No. 896, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" providing a monthly expense allowance for members of the General Assembly.

Mr. FRAZIER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FRAZIER, from the Committee on Corporations, reported as committed, House Bill No. 1193, entitled:

An Act authorizing public utility corporations engaged in transmitting electricity or transporting steam water gas oil or gasoline by pipe to obtain rights of way across public property in Cities of the First Class upon the consent of such city.

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 116, entitled:

An Act to further amend Article III of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" requiring a certain number of members of the General Assembly

as additional members on all independent boards and commissions and repealing certain inconsistent provisions thereof.

He also, from the Committee on State Government, reported as committed, House Bill No. 1200, entitled:

An Act to provide for preparation for a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively authorizing the survey of broadcasting sites for the construction of a master station and subsidiary stations as may be needed for statewide coverage creating within the Department of Public Instruction a Division of Radio and Audio Visual Education establishing within such division a lending library of recordings scripts films and slides conferring powers and imposing duties upon the Superintendent and Department of Public Instruction and appropriating funds for such developments.

He also, from the Committee on State Government reported as committed, House Bill No. 1219, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" by further defining the powers and duties of the commission.

RESOLUTION

JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE THE ADMINISTRATIVE BODIES EXERCISING LEGISLATIVE POWERS

Mr. T. NEWELL WOOD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. T. NEWELL WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 12, 1947.

Whereas, the foundation of our democracy is the expression of the will of the people through their elected representative in the General Assembly; and

Whereas, certain administrative bodies, boards and commissions, the members of which are not elected by the people, exercise legislative powers and as such are arms of the legislature; and

Whereas, these bodies have a tendency to be unresponsive to the will of the people as expressed directly to them and by their elected representatives; therefore be it

Resolved, That the Joint State Government Commission is hereby directed and authorized to review, investigate, study and consider the problems arising from administrative bodies, boards and commissions and the exercise of legislative powers delegated to them and to report its findings and conclusions to the next regular session of the General Assembly with proposed legislation to correct the above mentioned conditions existing in connection with such bodies.

REPORTS FROM COMMITTEES

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE from the Committee on Elections reported as committed, House Bill No. 1114, entitled:

An Act to amend thereof section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the compensation of watchers.

Mr. DONLAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DONLAN from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 614, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes, in order that there may be a meeting of the Committee on Local Government.

Mr. WADE. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 96

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 96, entitled:

An Act to amend section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" changing the requirements relating to withdrawal of joint deposits

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 172

He also returned to the Senate, Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 189

He also returned to the Senate, Senate Bill No. 189, entitled:

An Act to amend section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians and trustees of such minors from any liability therefor, unless joining therein," authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 240

He also returned to the Senate, Senate Bill No. 240, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts; prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 242

He also returned to the Senate, Senate Bill No. 242, entitled:

An Act to further amend subsection B, of section one thousand one hundred nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary

powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporations, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 373

He also returned to the Senate, Senate Bill No. 373, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers to private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporations association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 556

He also returned to the Senate, Senate Bill No. 556, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other

employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 579

He also returned to the Senate, Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 634

He also returned to the Senate, Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 635

He also returned to the Senate, Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. one thousand five hundred thirteen), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection and certificates.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 664

He also returned to the Senate, Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work, and the countersigning of such report by the mine foreman.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 667

He also returned to the Senate, Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revision and consolidating the law and relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 682

He also returned to the Senate, Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 683

He also returned to the Senate, Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons and providing penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 726

He also returned to the Senate, Senate Bill No. 726, entitled:

An Act to amend section ten of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgment; and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to the fiduciaries concerned with the estates of decedents," limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 738

He also returned to the Senate, Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-one (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 741

He also returned to the Senate, Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 802

He also returned to the Senate, Senate Bill No. 802, entitled:

An Act to further amend Section 2 of the Act approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" as amended by an act approved the third day of May one thousand nine hundred and forty-five (P. L. 404) entitled "An Act to amend the act, approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353), entitled 'An act relative to plans of survey and regulation in the city of Philadelphia,' by restricting the operation of the act to original plans and revisions; changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published, and of the hearing thereon; eliminating the requirement that streets which are the subjects of such plans, or revisions, must extend from street to street as thoroughfares, and must be called public streets; and abrogating the provisions for widening the streets upon the petition of the owners, or majority of feet frontage thereon, or on one side thereof; and by providing that all plans and revisions of plans of land subdivision shall, after approval by the board of surveyors, be recorded in the office of the recorder of deeds, and that owners and purchasers shall be conclusively presumed to have notice thereof," by reducing the minimum number of days for advertising.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 804

He also returned to the Senate, Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto," increasing maximum appropriation which may be made for agricultural extension work.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 812

He also returned to the Senate, Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of

Westchester, Suffolk or Nassau in the State of New York; providing for a Milk Compact Commissioner; designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner; authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk, subject to such federal consent as may be authorized or required by law; providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact; authorizing uniform regulation of prices to be paid producers, as may be provided in any such compact; providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf; providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania, not covered by such compact or order and re-delivered, re-sold or otherwise disposed of, or marketed in any marketing area in the Commonwealth of Pennsylvania, as such prices are fixed by the then existing rules, regulations and prices legally established in Pennsylvania for such area; providing for reports to be made upon request to the Governor of the Commonwealth, and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1, Section 10, Clause 3 of the Constitution of the United States.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 820

He also returned to the Senate, Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of a certain tract of land in the city of Harrisburg, Dauphin County, Pennsylvania containing approximately twenty-seven acres, for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 821

He also returned to the Senate, Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-Barre, Luzerne County, Pennsylvania, containing approximately fifty-one acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported

that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military service, in counties of the second class.

Senate Bill No. 96, entitled:

An Act to amend section nine hundred three of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing, penalties; and repealing certain acts and parts of acts," changing the requirements relating to withdrawal of joint deposits.

Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals.

Senate Bill No. 189, entitled:

An Act to amend section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians and trustees of such minors from any liability therefor, unless joining therein," authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority.

Senate Bill No. 240, entitled:

An Act to amend the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities and immunities of such corporations, of existent corporations, authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or

of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business.

Senate Bill No. 242, entitled:

An Act to further amend subsection B, of section one thousand one hundred nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties, and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

Senate Bill No. 273, entitled:

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase.

Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction, reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

Senate Bill No. 478, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments,

boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases; and by further prescribing the methods of making purchases and entering into contracts by the Department of Property and Supplies.

Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three clauses (b) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating plans to merge and the merger of school districts, transportation routes and contracts pertaining thereto.

Senate Bill No. 556, entitled:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State department commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks.

Senate Bill No. 579, entitled:

An Act to amend section one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 922, No. 307), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of cities of the second class,' as amended, authorizing the mayor, city controller, and council to make emergency loans," further providing for the payment of emergency loans.

Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic, with power to construct, improve and operate projects, and to lease the same; and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line. Describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection.

Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection and certificates.

Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work, and the counter-signing of such report by the mine foreman.

Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the provisions thereof authorizing the levy and collection of taxes.

Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" applying certain regulations to mines employing fewer than five persons and providing penalties.

Senate Bill No. 726, entitled:

An Act to amend section ten of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign

fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by authorizing the orphans' courts to prescribe by general rules the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 49) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for rewards imposing penalties and making an appropriation" validating certain expenditures

Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-one (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

Senate Bill No. 802, entitled:

An Act to further amend Section 2 of the Act approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" as amended by an act approved the third day of May one

thousand nine hundred and forty-five (P. L. 404) entitled "An act to amend the act, approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353), entitled 'An act relative to plans of survey and regulation in the city of Philadelphia,' by restricting the operation of the act to original plans and revisions; changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published, and of the hearing thereon; eliminating the requirement that streets which are the subjects of such plans, or revisions, must extend from street to street as thoroughfares, and must be called public streets; and abrogating the provisions for widening the streets upon the petition of the owners, or majority of feet frontage thereon, or on one side thereof; and by providing that all plans and revisions of plans of land subdivision shall, after approval by the board of surveyors, be recorded in the office of the recorder of deeds, and that owners and purchasers shall be conclusively presumed to have notice thereof," by reducing the minimum number of days for advertising.

Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto," increasing maximum appropriation which may be made for agricultural extension work.

Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plats which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester, Suffolk or Nassau in the State of New York; providing for a Milk Compact Commissioner; designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner; authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk, subject to such federal consent as may be authorized or required by law; providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact; authorizing uniform regulation of prices to be paid producers, as may be provided in any such compact; providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf; providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania, not covered by such compact or order and redelivered, re-sold or otherwise disposed of, or marketed in any marketing area in the Commonwealth of Pennsylvania, as such prices are fixed by the then existing rules, regulations and prices legally established in Pennsylvania for such area; providing for reports to be made upon request to the Governor of the Commonwealth, and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1, Section 10, Clause 3 of the Constitution of the United States.

Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of

Pennsylvania to the acquisition by the United States of America, of a certain tract of land in the city of Harrisburg, Dauphin County, Pennsylvania, containing approximately twenty-seven acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-Barre, Luzerne County, Pennsylvania, containing approximately fifty-one acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

Whereupon,
The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON from the Committee on Local Government, reported as committed, House Bill No. 505, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced.

He also, from the Committee on Local Government, reported as amended, House Bill No. 641, entitled:

An Act fixing the salary of county controllers in counties of the third fourth fifth and sixth classes and repealing parts of acts inconsistent therewith.

He also, from the Committee on Local Government, reported as committed, House Bill No. 726, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

He also, from the Committee on Local Government, reported as committed, House Bill No. 551, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of and users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special

assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals rates or charges may be imposed and the proceeds thereof used Adding purposes including the design and construction of new or additional sewers sewerage system and sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utilities Commission in connection therewith authorizing the shut off of water supply in certain cases making it unlawful to discharge harmful industrial wastes into any municipal sewer and providing that the amendments shall not apply to cities of the first class or authorities operating in cities of the first class.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I object to House Bills 551, 726 and 1193 being read at this time for the first time.

Mr. TALLMAN. Mr. President, may the Senate be at ease?

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion as amended?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act to further amend Article III of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistant and employees of certain departments boards and commissions shall be determined" requiring a certain number of members of the General Assembly as additional members on all independent boards and commissions and repealing certain inconsistent provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the compensation and raising the maximum compensation in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 505, entitled:

An Act empowering cities of the second class to levy assess and collect or to provide for the levying assessment and collection of additional taxes for general revenue purposes and permitting penalties to be imposed and enforced.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing special education for children afflicted with cerebral palsy in school districts other than in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act to further amend the second paragraph of section one thousand four hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue

and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" empowering the State Council of Education to prescribe and adopt rules regulations standards and qualifications governing the transportation of pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act establishing the Port of Chester.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 614, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act fixing the salary of county controllers in counties of the third fourth fifth and sixth classes and repealing parts of acts inconsistent therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 693, entitled:

An Act to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1383) entitled "An act to protect the health safety and welfare of the public by empowering and authorizing the Water and Power Resources Board of the Department of Forests and Waters to act as the agency of the Commonwealth to carry into effect a project to correct the existing and prevent the future silting of the Schuylkill River and its tributaries by wastes from anthracite coal mining operations defining the powers and duties of said board authorizing purchase or condemnation of necessary properties easements rights and right-of-ways and making an appropriation" authorizing the Water and Power Resources Board to sell waters from canals and to lease sell and convey real personal or mixed property acquired by it.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid fixing the interests of all taxing authorities where such lands are purchased by the city providing for the distribution of moneys received as income from or resale of such

lands and providing for a method of reselling such lands purchased by the city or by the city and school district within said city at any sale for the nonpayment of taxes free and clear of all mortgages ground rents interest in or claims against said lands

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act to amend section twenty-five of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" increasing the salaries of members of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 876, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to change alter and amend by by-law such provisions of their charters as are purely administrative and validating such changes alterations and amendments heretofore made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act to further amend sections twenty-one and thirty-one of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 896, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" providing a monthly expense allowance for members of the General Assembly

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 982, entitled:

An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled "An act defining and regulating the practice of chiropody and providing penalties by further defining chiropody

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1041, entitled:

An Act to provide for the minimum salaries qualifications classification leaves of absence and regulations of the administrative officers heads of special service departments and faculties of state teachers colleges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1090, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing re enue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for medical examiners in lieu of medical inspectors and prescribing their duties making mandatory the employment of a school nurse and repealing provisions relating to medical inspections and reports of medical inspectors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to amend thereof section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal

special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the compensation of watchers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act to amend section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" making special provisions for manner of registration in boroughs towns and townships of less than a certain population in certain counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of election county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating to elections" further providing for payment of filing fees in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1165, entitled:

An Act to further amend section five hundred forty-five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An

act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," increasing the pay of auditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1200, entitled:

An Act to provide for preparation for a State frequency-modulation radio network to be licensed by the Federal Communications Commission for non-commercial educational service exclusively authorizing the survey of broadcasting sites for the construction of a master station and subsidiary stations as may be needed for statewide coverage creating within the Department of Public Instruction a Division of Radio and Audio Visual Education establishing within such division a lending library of recordings scripts films and slides conferring powers and imposing duties upon the Superintendent and Department of Public Instruction and appropriating funds for such developments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1219, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" by further defining the powers and duties of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1303, entitled:

An Act providing for the fixing and equalization of salaries for tipstaves in the courts of common pleas over and terminer and general jail delivery quarter sessions of the peace County Court of Allegheny County and orphans' courts in counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1308, entitled:

An Act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Carbon County for use as a State Park and recreation area providing for the management of said property by said department and defining the uses to which the property shall be put and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1346, entitled:

An Act relating to the annual salaries of certain county officers of counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1347, entitled:

An Act relating to the annual salaries of certain county officers of counties of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1348, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fourth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1349, entitled:

An Act relating to the annual salaries of certain county officers of counties of the fifth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act relating to the annual salaries and compensation of certain county officers of counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act relating to the annual salaries and compensation of certain county officers of counties of the eighth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1352, entitled:

An Act relating to annual salaries and compensation of certain county officers of counties of the seventh class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1353, entitled:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping

pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

OBJECTION WITHDRAWN TO READING BILLS FOR FIRST TIME

Mr. BARR. Mr. President, I withdraw my objection to reading for the first time House Bills Nos. 551 and 726.

BILLS READ FOR FIRST TIME

Mr. TALLMAN. Mr. President, I move that the Senate do now read for the first time House Bills Nos. 551 and 726.

Mr. TAYLOR. I second the motion.
It was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of and users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer sewerage and sewage treatment services and to convey to such authorities their water supply systems sewers sewerage systems and sewage treatment works clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals rates or charges may be imposed and the proceeds thereof used Adding purposes including the design and construction of new or additional sewers sewerage systems and sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utilities Commission in connection therewith authorizing the shut off of water supply in certain cases making it unlawful to discharge harmful industrial wastes into any municipal sewer and providing that the amendments shall not apply to cities of the first class or authorities operating in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend section two of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy col-

lection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" by fixing a limit for taxes to be levied on real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Friday, June 13, 1947, at 12:00 o'clock, M., Eastern Standard Time.

Mr. LORD. Mr. President, I second the motion.
The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time until Friday, June 13, 1947, at 12:00 o'clock, M, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, June 12, 1947

The House met at 12:00 noon Eastern Standard Time.
The SPEAKER. (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Rev. Roy A. Gutshall, Pastor of St. John's Lutheran Church, Espy, guest of Hon. George W. Getchey, offered the following prayer:

Almighty God, our Heavenly Father, we turn unto Thee for guidance. We seek wisdom and understanding but help us to realize that the fear of the Lord is the beginning of wisdom. We beseech Thee out of Thy great mercy to fill our hearts with the fruits of the Spirit that we may indeed be men among men.

We thank Thee that in the House there are men of God, who stand for the truth, men who obey Thy commandments.

Bless the members of the House that they may be equal to their high trust. Endow them with a right understanding, a pure purpose and sound speech. Inspire them with the presence of Thy abiding spirit that they may be true and faithful representatives of Thy kingdom here on earth.

This we humbly ask in the name of our blessed Saviour.
Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, June 11, 1947.

The Clerk proceeded to read the Journal of Wednesday, June 11, 1947, when, on motion of Mr. CLARENCE E. MOORE unanimously agreed to, the further reading was dispensed with and the Journal approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. WORLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Adams will state it.

Mr. WORLEY. Mr. Speaker, yesterday, June 11, 1947,

several salary increase bills were passed while I was in the Committee on State Government, of which I am a member and which committee meeting was held during yesterday's session. I am informed that I am recorded as voting "yes." I want to say that if I could have been on the floor of the House I would have voted "no" on those bills. I desire that these remarks be spread upon the Journal of the House.

REPORTS FROM COMMITTEES

Mr. GYGER from the Committee on Education, reported as committed, House Bill No. 1056, entitled:

An act to further amend section one and to reenact and amend the first paragraph of section four of the act, approved the eighteenth day of June, one thousand nine hundred nineteen (P. L. 498), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," redefining consolidated schools and providing for approval of consolidated or joint consolidated schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

Mr. BREISCH from the Committee on Education, reported as committed, Senate Bill No. 264, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employees.

Mr. O'DONNELL from the Committee on Judiciary, reported as committed, Senate Bill No. 529, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing agreements between Redevelopment Authorities and local taxing authorities, limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

Mr. FLEMING from the Committee on Education, reported as committed, Senate Bill No. 548, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof.

Mr. DALRYMPLE from the Committee on Education, reported as committed, Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements.

Mr. JOHNSON from the committee on Judiciary, reported as committed, Senate Bill No. 615, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act to further amend section one and to reenact and amend the first paragraph of section four of the act, approved the eighteenth day of June, one thousand nine hundred nineteen (P. L. 498) entitled "An act defining consolidating of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," redefining consolidated schools and providing for approval of consolidated or joint consolidated schools and the reimbursement by the Commonwealth of school districts transporting pupils of such schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 264, entitled:

An Act to further amend section eleven of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school em-

ployes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the service allowance of certain employes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 529, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the manage-

ment control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1046

Mr. WALTON. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1046.

The SPEAKER. The report will lie over for printing.

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 33.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 22.

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a revised compilation of laws relating to soldiers, sailors and marines, their dependents, and war veteran organizations and making an appropriation.

HOUSE BILL No. 50.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, checkup of registers and street lists

HOUSE BILL No. 60.

An Act to further amend section thirty-nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

HOUSE BILL No. 757.

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers.

HOUSE BILL No. 803.

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions registrars inspectors of registration and other appointees of registration commissions county election boards election officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

HOUSE BILL No. 882.

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and pri-

maries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

HOUSE BILL No. 999.

An Act to add sections ninety-seven and ninety-eight to the act, approved the second day of May, one thousand nine hundred twenty-nine, (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the formation of a State association of directors of veterans' affairs, and the payment by counties of certain expenses in connection therewith.

HOUSE BILL No. 1087.

An Act to amend rule four of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which explosive gases have at any time been found.

HOUSE BILL No. 1322.

An Act making an appropriation to the trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock.

HOUSE BILL No. 1327.

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

HOUSE BILL No. 1341.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, 636, 755, 756, 769, 788, 808, 810, 826, 830, 857, 858, 862 and 865.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. BOORSE asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

The SPEAKER. The Chair requests the gentleman from Snyder, Mr. Fiss, to preside.

MR. FISS IN THE CHAIR

Mr. KRIFE asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Bloom for Mr. TURNER for today's session.

Mr. Wagner for Mr. ORBAN for today's session.

BILLS ON FIRST READING

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

An Act to further amend sections five hundred one and seven hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by removing all closed seasons on woodchucks

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 103, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" removing certain restrictions as to the licensing of veterans' organizations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 862, entitled:

An Act making an appropriation to the Board of Fish Commissioners out of the Fish Fund to making a survey establish construct and maintain fishways around existing dams in the Susquehanna River in Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of Senate Bill No. 83, entitled:

An Act authorizing the judges of the courts of common pleas to create mental clinics for the examination of persons charged with the commission of criminal offenses prior to trial and of convicted persons prior to the imposition of sentence and of children charged with delinquency providing for the creation of joint mental clinics among the several counties and imposing the costs of maintaining and operating such clinics upon the county

or counties creating the same and providing for the establishment by the Department of Welfare of such clinics and making the same available to the courts in counties where no clinics have been established

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 904, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties including services of industrial insurance agents within the definition of employment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" increasing fees to be charged

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the appointment of assistant county superintendents.

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'CONNOR offered the following amendments:

Amend Sec. 1 (Sec. 1126), page 2, lines 14 and 15, by striking out the words "Every county superintendent having more than one" in line 14, and all of line 15.

Amend Sec. 1 (Sec. 1126), page 3, lines 1 to 3 inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 1126), page 3, line 4, by inserting a bracket before the word "and."

Amend Sec. 1 (Sec. 1126), page 3, line 5, by inserting a bracket after "(135)" and inserting immediately thereafter "(100)."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 94, Printer's No. 543 was passed over temporarily at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 146, entitled:

An Act to further amend subsection (b) and to amend subsection (d) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising

and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" making further provision for the compensation of judges inspectors clerks and machine inspectors at primaries and elections.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 155, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred twenty-three (P. L. 692 No 268) entitled "An act fixing the salary of county commissioners in counties of the first class" increasing such salary

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 156, entitled:

An Act making a deficiency appropriation to the Pennsylvania School for the Deaf at Mount Airy Philadelphia Pennsylvania to cover the deficiency accumulated up to May 31, 1945

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 193, entitled:

An Act relating to judgments providing for the lien thereof and the duration and revival of such liens prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property and imposing duties on prothonotaries sheriffs and other court and county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1222) entitled "An act providing for the complete medical and dental examination of all children of school age and teachers and other school employees in the public and private elementary and secondary schools of the Commonwealth and imposing certain duties upon the Department of Health and the Department of Public Instruction and making an appropriation" providing that nurses and physicians performing the services required of them in certain schools situated in school districts of the first class shall remain employees of such municipal corporations by whom they are employed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to amend section seven hundred twenty of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," extending period of field trials.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend sec. 1 (Sec. 720), page 2, lines 17 and 18, by striking out the words "sixteenth day of April," and inserting in lieu thereof the following: "close of the training season as fixed by this Act or by resolution of the commission."

It was agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GOODLING offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out the words "Section seven hundred twenty" and inserting in lieu thereof "The first paragraph of section seven hundred nineteen."

Amend Sec. 1, page 2, line 5, by inserting after the word "thereto" the following: "as amended by the act approved the thirteen day of April one thousand nine hundred forty-two (P. L. 28) is hereby further amended to read as follows:

"Section 719 Training of Dogs on Certain Game; Exception for Fox Hunting. Except as otherwise provided in this act, or in defense of person or property, it is unlawful for the owner of any dog or a dog under his control, to permit such dog to chase, pursue, or follow upon the track of any wild bird or wild animal, either day or night, between the first day of April and the [nineteenth] thirty-first day of [August] July next following: Provided, however, That the commission upon receipt of a petition filed during the month of January signed by two hundred and fifty (250) or more residents of a county who held hunting licenses of the previous year or who are farmers or sheep raisers whether licensed to hunt or not shall by resolution, notice of which shall be published as required by this act designate any county or part thereof in which hunting foxes with dogs at any time either day or night shall be lawful throughout [the entire year] a period of two calendar years except for such sixty-day period in each calendar year as the commission may designate when complying with the provisions of this act relative to hunting licenses or permits. All petitions in the hands of the commission on the effective date of this amendment shall be granted for a period of two years from the first day of January, one thousand nine hundred forty-seven."

They were agreed to.

The section was agreed to as amended.

Mr. GOODLING offered the following amendment to the bill.

Section 2 Section seven hundred twenty of said act.

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. GOODLING offered the following amendments:

Amend title, page 1, first line of title by striking out the

word "section" and inserting in lieu thereof: "sections seven hundred nineteen and."

Amend title, page 1, line 2, from end of title, by inserting after the word "thereto" "fixing the period covered by petitions for hunting foxes with dogs and."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining.

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'DONNELL offered the following amendments:

Amend Section 1, page 3, line 1, by striking out after the numeral "1" and before the word "of" the following: "[Clause (d) of section three]" and inserting in lieu thereof the following: "Subsection (d) of section four and section six."

Amend Section 1, page 4, line 10, by inserting after the quotation mark and before the word "is" the following:

"as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (Pamphlet Laws two hundred ninety-three)."

Amend Section 1, page 4 by striking out lines 11 to 19 inclusive.

Amend page 5 by striking out lines 1 to 18 inclusive.

Amend page 6 by striking out lines 1 to 19 inclusive and inserting in lieu thereof the following:

Section 4 Pennsylvania Labor Relations Board Created.

* * * * *

(d) The chairman of the board shall receive a salary of [seven thousand five hundred dollars (\$7,500)] eight thousand two hundred and fifty dollars (\$8,250) per annum, and the other members of the board shall receive a salary of [seven thousand dollars (\$7,000)] seven thousand seven hundred dollars (\$7,700) per annum. The members of the board shall be eligible for reappointment. The employees of the board shall be appointed by the Secretary of Labor and Industry, with the approval of the Governor. The board may establish or use such voluntary and uncompensated services as may, from time to time, be needed.

Amend page 7, line 4, by striking out at the end of the line after the word "act" the following: "[Provided however that nothing]."

Amend page 7 by striking out lines 5 to 9 inclusive.

Amend page 8, line 15, by striking out after the word "collectively" and before the word "with" the following: "[in good faith]."

Amend page 9 by striking out lines 5 to 16 inclusive.

Amend page 10, line 16, by striking out at the end of the line after the word "family" the following: "for his property or by picketing the employer's."

Amend page 10 by striking out line 17.

Amend page 10, line 18, by striking out at the beginning of the line before the word "with" the word: "[employer]."

Amend page 11 by striking out lines 1 to 19 inclusive.

Amend page 12 by striking out lines 1 and 2.

Amend page 12, line 3, by striking out at the beginning of the line before the word "To" the following: "[(i)]" and inserting in lieu thereof the following: "(d)."

Amend page 12, line 6, by striking out at the beginning of the line before the word "To" the following: "[(j)]" and inserting in lieu thereof the following: "(e)."

Amend page 12, line 11, by striking out at the end of the line after the word "controversy" the following: "[in which the Labor Conciliator has intervened as provided]."

Amend page 12 by striking out lines 12 to 19 inclusive.

Amend page 13 by striking out lines 1 to 20 inclusive.

Amend page 14 by striking out lines 1 to 19 inclusive.

Amend page 15 by striking out lines 1 to 20 inclusive.

Amend page 16 by striking out lines 1 to 19 inclusive.

Amend page 17 by striking out lines 1 to 19 inclusive.

Amend page 18 by striking out lines 1 to 20 inclusive.

Amend page 19 by striking out lines 1 to 19 inclusive.

Amend page 20 by striking out lines 1 to 20 inclusive.

Amend page 21 by striking out lines 1 to 20 inclusive.

Amend page 22 by striking out lines 1 to 20 inclusive.

Amend page 23 by striking out lines 1 to 6 inclusive and inserting in lieu thereof the following: "Section 2. This act shall become effective immediately upon final enactment."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. O'DONNELL offered the following amendments:

Amend page 2, line 18 of the title by striking out at the end of the line after the quotation mark the following: "[further defining certain terms]" and inserting in lieu thereof the following: "increasing salaries of board members and."

Amend page 2, line 20 of the title by striking out at the end of the line after the word "unfair" the following: "[authorizing the Pennsylvania Labor]."

Amend page 3 by striking out lines 1 to 3 inclusive of the title.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 363, entitled:

An Act to amend further the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by changing the method of accounting for advances out of appropriations at the end of a biennium

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 432, entitled:

An Act to add section one thousand thirty-four to article ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing

penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend section one of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing that corporations limited partnerships and joint stock associations holding certain taxable securities as mere custodian for the real owner shall not be taxed therefor.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 458, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for an extended high school course

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the salaries of members of the State Athletic Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

The first section was read.

On the question,

Will the House agree to the section?

Mr. SOLLENBERGER offered the following amendment:

Amend Sec. 1 (Sec. 1418), page 3, lines 18 and 19, by striking out the word "forty-eight" and inserting in lieu thereof "forty-nine",

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen, (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by further regulating the payment in second injury cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE offered the following amendment:

Amend Section 1, page 4, line 12, by inserting after the word "connected" and before the word "injuries" the word: "physical",

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 602, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 607, entitled:

An Act providing for and extending the time during which taxes on seated and unseated lands for the tax year one thousand nine hundred forty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend section four hundred nine of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants shall be determined" increasing the salary of the chairman of the Pennsylvania State Board of Censors

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 609, entitled:

An Act to further amend the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by further providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania.

The first to seventh sections inclusive were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. DENNISON offered the following amendments:

Amend Sec. 8 (Sec. 11), page 14, line 14, by striking out the brackets before and after the word "four".

Amend Sec. 8 (Sec. 11), page 14, line 14, by striking out the word "three".

They were agreed to.

The section was agreed to as amended.

The ninth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 623, entitled:

An Act making an appropriation to the trustees of The Pennsylvania State College for the construction of buildings the furnishing of housing and other facilities and services the purchase of equipment and supplies and other necessary expenses

The first section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Page 2, section 1 (a), line 8, after the word "necessary" strike out the word "utility".

Section 1 (b), line 12, after the word "necessary" strike out the word "utility".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 665, entitled:

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the costs of acquiring certain property and the improvement and beautification thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 666, Printer's No. 482

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 673, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highways system and providing for their future maintenance and construction" by removing additional roads from the State highway system

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 707, entitled:

An Act relating to boarding houses for children; providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Welfare; defining offenses and prescribing penalties and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 1, page 2, lines 16, 17, 18, 19 and 20, by striking out the word "vacation" in line 16, all of lines 17, 18 and 19, and "(8)" in line 20, and inserting in lieu thereof "any place receiving for temporary care gratuitously or for pay children from the same family for a period of not more than sixty days (7)".

It was agreed to.

The section was agreed to as amended.

The second to eighth sections inclusive were separately read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendment:

Amend Sec. 9, page 5, line 17, by striking out the words "APPLYING FOR" and inserting in lieu thereof "requiring a".

It was agreed to.

The section was agreed to as amended.

The tenth to thirteenth sections inclusive were separately read and agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Amend page 8, by striking out all of lines 1, 2, 3, 4, and 5.

Amend page 8, by striking out after the word "Section" the figure "15" and inserting in lieu thereof: "14"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 709, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain

of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" defining "Year of Service" further defining "accumulated deductions" and further regulating withdrawal and payments thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth and its political subdivisions upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission providing for cooperation with and by the joint State Government Commission and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 715, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, establishing the Fund Stabilization Factor in lieu of the Safety Factor, and making provision for the application thereof, and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE offered the following amendments:

Amend Sec. 1 (Section 301), page 3, line 17, by underscoring the word "subsection"

Amend Sec. 1 (Section 301), page 6, by striking out all of line 8, 9, 10, 11, and 12 and inserting in lieu thereof "9.1% or more .5% .7% 1.0% 1.5% 2.7%

Amend Sec. 1 (Section 301), page 6, line 13, by striking out the figure "1.9" and inserting in lieu thereof "2.7."

Amend Sec. 1 (Section 301), page 6, line 14, by striking out the figure "2.1" and inserting in lieu thereof "2.7."

Amend Sec. 1 (Section 301), page 6, line 15, by striking out the figure "2.3" and inserting in lieu thereof "2.7."

Amend Sec. 1 (Section 301), page 6, line 16, by striking out the figure "2.5, and inserting in lieu thereof "2.7."

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, I would like to inquire as to the effects of the amendments proposed and their purpose.

Mr. DAVID P. REESE. Mr. Speaker, the reason for the amendment is that in order to comply with the Federal situation different percentages had to be inserted in order that proper attainment of different credits be had by the employer.

Mr. ANDREWS. Mr. Speaker, this bill is drawn for the specific purpose of making a seventy-five million dollar contribution to Baldwin, Westinghouse and the General Electric. Those three concerns and several others have had labor difficulties which impaired their status of contribution to the unemployment fund. Under the Unemployment Compensation Fund Act as it now stands, under the schedules it would probably require those three companies and several others about three years to overcome the handicap occasioned by labor difficulties, and it is my understanding that this bill as drawn carries schedules and percentages that would enable those three companies and several smaller companies to regain the lost ground and get a lower unemployment compensation percentage within a much nearer period of time than is possible under the existing Act. So I am asking whether this amendment as proposed was designed to cure that defect or to continue it, or whether this bill as it stands is still a contribution of some seventy-five million dollars to our big corporations.

Mr. DAVID P. REESE. Mr. Speaker, it is not my idea that the suggested propositions of Mr. Andrew's are the purpose of the bill. In some states there is even a reduction to a rate of zero-zero. Here in Pennsylvania, however this bill has seen fit only to go to .05, which is one half of the minimum now provided for under the merit rating bill.

Mr. ANDREWS. That is true, Mr. Speaker. I am not technically qualified to discuss the percentages of this bill or the time schedules of the time limitations. I have said that the effect of these schedules is to enable several major companies or corporations to recover a favorable position so far as unemployment compensation rates are concerned, notwithstanding serious labor difficulties, and I am contending that it was because of that situation that this bill is presented. I am asking, Mr. Speaker, whether the schedule proposed by the gentleman from Dauphin is less generous or more generous, if that could possibly be, than the bill as it came from the other chamber.

Mr. DAVID P. REESE. Mr. Speaker, as to whether this would fall into any category of generosity, I would say if anything that it was less generous. However, as I said

before, in order to make it comply with the Federal regulations the amendments offered by myself were to comply with the Federal regulations. That is all. As to the original intent as indicated by the gentleman from Cambria, Mr. Andrews, I am entirely unaware of such a fact and I did not take any part in such a proceeding. I merely offered this amendment to a new schedule of merit rating, certain amendments necessitated by the Federal regulations, this new schedule being a further reduction in the minimum of merit rating from one percent to one half of one percent.

Mr. ANDREWS. Mr. Speaker, from a purely technical point of view, the gentleman probably does not know any thing more about the figures on the technical schedules than I do. So, I will state that if he has received any instructions or admonitions from the Federal authorities that in all probability it represents a purely security process, so far as a fundamentally bad bill is concerned. So I will not take a position against his amendments, reserving the right to suggest that we vote the bill down when it comes up on final passage.

Mr. DAVID P. REESE. Mr. Speaker, in reply to the gentleman from Cambria, I wish to say that he first stated he did not know much about this bill and insisted that the proponent of the amendments knew just as little as he did about the rates. In the event that the contrary is so I would be delighted to be enlightened.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE offered the following amendments:

Amend Sec. 2 (Section 313), page 7, line 13, by striking out the words "nine tenths" and inserting in lieu thereof one-tenth

Amend Sec. 2 (Section 313), page 8, line 9 by striking out the figure ".6" and inserting in lieu thereof .7.

Amend Sec. 2 (Section 313), page 8, line 10 by striking out the figure ".7" and inserting in lieu thereof 1.0

Amend Sec. 2 (Section 313), page 8, line 11, by striking out the figure ".8" and inserting in lieu thereof 1.5

Amend Sec. 2 (Section 313), page 8, line 12, by striking out the figure ".9" and inserting in lieu thereof 2.7

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guard-

ians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 734, entitled:

An Act to amend section nine of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" changing fees of prothonotaries.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further changing the provisions for markers and headstone at the graves of deceased service persons and prescribing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEISS offered the following amendments:

Amend Sec. 1, page 2, lines 1 to 4 by striking out "That the first paragraph of Section 426 of said Act" in line 1 and all of lines 2, 3 and 4, and inserting in lieu thereof: The first paragraph of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," as last amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 286), is hereby further amended to read as follows:

Amend Sec. 1 (Sec. 426), page 2, line 6, by underscoring the word "Commonwealth"

Amend Sec. 1 (Sec. 426), page 2, line 12, by inserting immediately after the bracket the following: Provided, however, That no board of commissioners shall be required to discard any markers of other materials already purchased by such commissioners, whether or not already installed, but no new markers shall in the future be purchased of metal other than cast bronze [herein defined] except that during periods of national emergency, so proclaimed by the President of the United States, when all available metals [is] are required for war materials, suitable nonmetal substitutes for cast bronze may be used.

Amend Sec. 1 (Sec. 426), page 2, lines 12 to 19, by underscoring the words "The County Commissioners shall procure" in line 12 and all of lines 13 to 19.

Amend Sec. 1 (Sec. 426), page 3, lines 1 to 20, by underscoring all of said lines.

Amend Sec. 1 (Sec. 426), page 3, lines 19 and 20, by striking out "Section 243 of the Act of April 30, 1929, Pamphlet Laws 865" and inserting in lieu thereof: "the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 865)".

Amend Sec. 1 (Sec. 426), page 4, lines 1, 2 and 3 by underscoring all of said lines.

Amend Sec. 1 (Sec. 426), page 4, line 2, by striking out "Ten (\$10.00) dollars" and inserting in lieu thereof: "ten dollars (\$10)".

Amend Sec. 1 (Sec. 426), page 4, lines 2 and 3, by striking out "One hundred (\$100.00) Dollars" and inserting in lieu thereof: "one hundred dollars (\$100)".

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act approved the nine day of April one thousand nine hundred twenty-nine P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing cerating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for

the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further changing the provisions relating to the maximum compensation of the State Civil Service Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section three of Article VIII of the act approved the twenty-second day of June one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38 1933-34) entitled "An act imposing State taxes payable by those herein defined as manufacturers and importers on the privilege of manufacturing selling or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors providing for the collection of the taxes and the manner of making payment thereof conferring powers and imposing duties on certain State officers and departments and upon manufacturers importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors authorizing refunds or exemptions in certain cases and making and appropriation therefor and providing penalties" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 779, entitled:

An Act to amend section one of the act approved the fifteenth day of March one thousand nine hundred eleven (P. L. 20) entitled "An act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf" by further providing what evidence is or is not admissible

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 781, entitled:

An Act to further amend section 4 of the act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax payable by those herein defined as manufacturers and distributors on certain alcoholic beverages used or sold and delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale of alcoholic beverages taxable hereunder and providing penalties" by further regulating the procedure for filing petitions for reassessment petitions for review and appeals to court and collection of delinquent taxes

The first section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendments:

Amend Sec. 1, page 2, lines 2, 3, 4, 5, 6, 7, 8 and 9, by striking out the words "An act imposing a State tax payable by" in line 2, and all of lines 3, 4, 5, 6, 7, 8 and the word "penalties" in line 9, and inserting in lieu thereof as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties in the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties".

Amend Sec. 1 (Sec. 4) page 2, lines 11, 12 and 13, by striking out the words "Malt Beverage Tax Stamps on Crowns penalties Assess-" in line 11, and all of lines 12 and 13.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. McKINNEY offered the following amendment:

Amend title, page 1, lines 2, 3, 4, 5, 6, 7, 8 and 9 of title on said page, by striking out "An act imposing a State" in line 2, all of lines 3, 4, 5, 6, 7, 8 and the words "alcoholic beverages taxable hereunder and providing penalties" in line 9, and inserting in lieu thereof as amended "An act imposing a State tax, payable by those herein defined as manufacturers and by others, on malt or brewed beverages used, sold, transported, or delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, or in the transportation of malt or brewed beverages taxable hereunder; and providing penalties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 782, entitled:

An Act to amend the act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by further regulating the procedure for filing petitions for redetermination petitions for review and appeals to Court

The first section was read.

On the question,

Will the House agree to the section?

Mr. McKINNEY offered the following amendment:

Amend Sec. 1 (Sec. 7), page 5, line 17, by inserting after the word "of" where it appears the second time in said line "the Board of Finance and Revenue or from the decision of".

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 801, entitled:

An Act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employes which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services and providing means, including regulations affecting the rights, powers and privileges of employers and employes, for the enforcement of such public policy; and providing penalties.

The first to tenth sections inclusive were separately read and agreed to.

The eleventh section was read.

On the question,

Will the House agree to the section?

Mr. NEFF offered the following amendment:

Amend Section 11, page 9, line 16, by striking out after the word "is" and before the word "contract" the following: "no" and inserting in lieu thereof the following: "a".

It was agreed to.

The section was agreed to as amended.

The twelfth to sixteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act to amend clause one of section three of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are now taxed and collected in all matters and proceedings" by providing that involuntarily suspension of publication shall not disqualify a newspaper to publish legal and official advertising

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 828, entitled:

An Act to authorize and empower the Pennsylvania Turnpike Commission to combine the Turnpike the Eastern Extension and the Western Extension or any two thereof for financing purposes under the provisions of this Act authorizing the issuance of Turnpike Revenue bonds of the Commonwealth payable solely from tolls to pay the cost of the Eastern Extension and the Western Extension paying the cost of the Eastern Extension or the cost of the Western Extension or the cost of both and refunding any Turnpike revenue bonds or Turnpike refunding bonds which have heretofore been issued by the Commission under the provisions of any Act heretofore approved or

under the provisions of this Act and which shall then be outstanding including the payment of any redemption premiums thereon refunding any revenue bonds or revenue refunding bonds heretofore issued under the provisions of this Act including the payment of and redemption premiums thereon authorizing the Commission to fix tolls from time to time for use of the projects so combined providing for the use of a facsimile of the signature of the Governor and of the Chairman of the Commission in lieu of their manual signatures and a facsimile of the official seal of the Commission upon any bonds issued under the provisions of this Act or any other Act authorizing the issuance of bonds for the payment of the construction of any Turnpike and giving certain definitions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 829, entitled:

An Act making an appropriation to the Land-Grant College of Pennsylvania for the purpose of matching certain moneys appropriated by the Congress of the United States

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend section one of the act approved the seventeenth day of April one thousand eight hundred ninety-three (P. L. 21) entitled as amended "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located in the disposition of the business of the Commonwealth by providing suitable clerical assistance" further providing for the appointment and salaries of stenographers and clerks

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 836, entitled:

An Act to further amend part of section one of the act approved the twelfth day of May one thousand nine hundred forty-three P. L. 259) entitled "An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" by further regulating the payment of such moneys into the State Employees' Retirement Fund

The first section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendment:

Amend Section 1, page 3, line 4 by inserting after the word "the" and before the bracket, the following: "State annuity accounts of the".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 841, entitled:

An Act to repeal so much of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburg and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" and its supplements as authorize alderman justices of the peace and mayors to commit minors to The House of Refuge of Western Pennsylvania now known as the Pennsylvania Training School at Morganza

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 848, entitled:

An Act increasing the salaries of all elected county officers of counties of the first class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 864, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight (P. L. 864) entitled "An act relative to the election of commissioners' clerk in the County of Northampton"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Snyder, Mr. Fiss, for presiding.

BILL ON SECOND READING

The SPEAKER. If there is no objection, the Chair will return to page 4 of today's calendar, Senate Bill No. 94.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 94, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and repealing certain acts inconsistent herewith

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. MAZZA offered amendments.

Mr. GRIFFITHS offered amendments.

Mr. TOMPKINS offered amendments.

MOTION TO RECOMMIT

Mr. WORLEY. Mr. Speaker, I would like to move that this judges' salary bill, together with the amendments, be recommitted to the Committee on State Government, to stay there and never be brought back on the floor of the House.

The SPEAKER. Will the gentleman yield until the amendments have been read?

The SPEAKER. The Clerk will read the amendments offered by Messrs. Tompkins and Greenwood for the information of the House.

The Clerk read the amendments as follows:

Amend bill, page 5, by inserting between lines 10 and 11, the following: "Section 10. The salaries or compensation of the associate judges, not learned in the law, of the courts of this Commonwealth, shall be as follows Each such associate judge shall receive six dollars (\$6) per day for every day he may be employed in the discharge of his official duties: Provided, That the salary of no such associate judge shall be less than seven hundred twenty dollars (\$720) annually. Each of said judges shall continue to be entitled to mileage, as now provided by existing law."

Amend Sec. 10, page 5, line 11, by striking out the figure "10" and inserting in lieu thereof "11".

Amend Sec. 11, page 5, line 13, by striking out the figure "11" and inserting in lieu thereof "12."

Amend Sec. 12, page 5, lone 15, by striking out the figure "12" and inserting in lieu thereof "13".

Amend Sec. 12, page 7, line 11, by striking out the word "and."

Amend Sec. 12, page 8, line 2, by inserting after the word "County" the following: "and the act, approved the fifth day of May, one thousand nine hundred fifteen (Pamphlet Laws, 258), entitled "An act fixing the salaries of the Associate Judges, not learned in the law, of the Courts of this Commonwealth."

Mr. ANDREWS. Mr. Speaker, I would request a copy of the amendments and at least five minutes to consult with my associates concerning the effect of the amendments.

The SPEAKER. The Chair will direct the amendments to be forwarded to the Minority Leader immediately. Without objection we will postpone for five minutes action on these amendments. The Chair hears no objection.

Mr. ANDREWS. Mr. Speaker, very well.

Mr. WORLEY. Mr. Speaker, on my previous motion I would now like to be recognized to move to recommit.

The SPEAKER. The gentleman will please state his motion.

MOTION TO RECOMMIT

Mr. WORLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government, to stay there and not be brought back on the floor of the House.

Mr. GRIFFITHS. Mr. Speaker, will the gentleman withdraw his motion to permit me to make a brief statement?

Mr. WORLEY. Mr. Speaker, I would like to speak on my motion, but will withdraw it for the time being.

The SPEAKER. The Chair understands that the gentleman will withdraw his motion temporarily?

MOTION TO RECOMMIT WITHDRAWN

Mr. WORLEY. Yes, I will, Mr. Speaker.

Mr. GRIFFITHS. Mr. Speaker, I think we should know that he have had three amendments submitted today. The first amendment we have already heard. The second set of amendments which were introduced by me were merely technical amendments to clear up legal technicalities, and the third set of amendments are to reduce the judge's salary as proposed in this bill.

It seems to me that rather than recommit the whole bill we ought to consider these amendments first. After the amendments have been considered and acted upon, then if you wish to vote on a motion to recommit I see no reason why you shouldn't, but at least we ought to consider these amendments.

In the final amendment, the third one which I understand will be discussed and voted on, we will have an opportunity to vote if we wish to reduce the salaries of the judges in this proposed bill. Therefore, Mr. Speaker, I request that the motion to recommit be defeated at this time.

The SPEAKER. Does the gentleman wish to withdraw his motion until the amendments are acted upon, or does he desire to make the motion now?

Mr. WORLEY. I will withdraw it temporarily, Mr. Speaker, until the amendments are acted upon.

The SPEAKER. The Chair thanks the gentleman for withdrawing his motion until all the amendments have been considered. Is the Chair correct in that assumption?

Mr. WORLEY. And then I would make my motion to recommit, Mr. Speaker.

The SPEAKER. The Chair will recognize the gentleman at that time.

On the question,

Will the House agree to the amendments offered by Mr. Tompkins, adding a new section 10?

Mr. TOMPKINS. Mr. Speaker, I think the Members of the House should have some explanation of my amendments. We have in our Commonwealth under our judicial system judicial districts comprising more than one county. In those districts we have under our constitution associate judges unlearned in the law. There are two in each county. We have the districts of Monroe-Pike, Adams-Fulton, Union-Snyder, Wyoming-Sullivan, Warren-Forest, and Cameron-Elk, as far as I can recall throughout the state.

The present salary of these judges is five dollars per diem, provided though, that they be paid not less than \$600 per year. This amendment of mine will give a general twenty per cent increase, making the per diem six dollars a day and the minimum annual salary \$720.

The amendment to add a new section 10 was agreed to.

The SPEAKER. The amendments just agreed to were to add a new Section 10. The Chair understands there has been an agreement between those who have offered amendments as to the order in which they shall be presented to the House.

We will now consider the amendments to Section 10 offered by the gentleman from Cameron, Mr. Tompkins.

The tenth section was read.

On the question,

Will the House agree to the amendment offered by Mr. Tompkins to section 10?

It was agreed to.

The section as amended was agreed to.

The eleventh section was read.

On the question,

Will the House agree to the amendments offered by Mr. Tompkins to section 11?

They were agreed to.

The twelfth section was read.

On the question,

Will the House agree to the amendments offered by Mr. Tompkins to section 12?

They were agreed to.

The section as amended was agreed to.

The SPEAKER. The Chair will now lay before the House for consideration the amendments offered by the gentleman from Philadelphia, Mr. Griffiths. The amendments will be read for the information of the House. Has the Minority Leader received a copy of the amendments?

Mr. ANDREWS. We have a copy of the amendments, but I think probably it will be necessary to interrogate the gentleman to obtain some information as to the import of the amendments.

The amendments offered by Mr. Griffith, were read as follows:

Amend Section 4, page 3, by striking out lines 3 and 4 and inserting in lieu thereof the following: With the exception of the judges of the courts of common pleas of Dauphin County the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of more than two hundred and fifty thousand and less than one million inhabitants shall be fourteen thousand dollars (\$14,000) in judicial districts having a population of one hundred thousand and more but less than two hundred fifty thousand inhabitants shall be fourteen thousand dollars (\$14,000) in judicial districts having a population of sixty-five thousand or more and less than one hundred thousand inhabitants shall be twelve thousand dollars (\$12,000) in judicial districts having a population of less than sixty-five thousand inhabitants eleven thousand dollars (\$11,000) The amount of the salaries to be paid under this paragraph in the several judicial districts shall be determined and fixed according to the population of such districts as ascertained by reference from time to time to the last preceding decennial United States census."

Amend Section 4, page 3, by striking out lines 17 to 20 inclusive.

Amend Section 4, page 4, by striking out line one.

Amend Section 7, page 4, line 12, by inserting after the word "be" the following: "twelve thousand five hundred dollars (\$12,500)."

Amend Section 7, page 4, by striking out line 13 and inserting in lieu thereof the following: "and the annual salary of each of the other judges of said court shall be twelve thousand dollars (\$12,000)."

Amend Section 7, page 4, by striking out lines 14, 15 and 16.

Amend Section 8, page 4, line 18, by striking out the words "increased two thousand" and inserting in lieu thereof the following: "twelve thousand five hundred dollars (\$12,500) and the annual salary of each of the other judges of said court shall be twelve thousand dollars (\$12,000)."

Amend Section 8, page 4, by striking out line 19.

Amend Section 8, page 5, by striking out the lines one to three inclusive.

Amend Section 9, page 5, line 7, by striking out the word "forty" and inserting in lieu thereof the following: "twenty."

Amend Section 9, page 5, line 8, at the beginning thereof, by striking out the following: "(\$40)," and inserting in lieu thereof the following: "(\$20)."

Amend Section 11, page 5, line 13, by striking out at the end of the line the following: "on the first day of June" and inserting in lieu thereof the following: "immediately upon final enactment."

Amend Section 11, page 5, by striking out line 14.

The fourth section was read

On the question,

Will the House agree to the amendments offered by Mr. Griffiths to section 4?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Griffiths.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GRIFFITHS. I will, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman what the affect of the amendments to section 4 that has just been read will be on the present law. Specifically I would like to know whether he is increasing the salaries or decreasing them or just what the amendments do.

Mr. GRIFFITHS. Mr. Speaker, these amendments do not increase or decrease the proposed salaries in the bill at all. There was a technical error committed in framing the bill, at the end of the bill having to do with the remuneration, and thereby some of the salaries the judges would receive under the bill would be the amount of the increase and not the basic salary itself. That is the first basic change, in order to correct that.

The second change is to reduce the amount received by a judge sitting outside his district from forty dollars to twenty dollars per day. In the bill there is a provision to pay forty dollars, and this amendment reduces that to twenty dollars, which is the present amount.

The third change is to make the effective date the date the bill is signed rather than June 1st, which has already expired. These changes that I have mentioned before are only technical changes in order to bring the bill properly into line.

Mr. READINGER. I thank the gentleman, and I understand that he has now explained not only the amendments which have been read to Section 4, but all the amendments that he has submitted, including Sections 7 and 8, is that correct?

Mr. GRIFFITHS. That is correct, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I want to be certain that I properly understand the gentleman from Philadelphia. Does he mean to say that the bill as drafted by the State Bar Association and passed upon by the legal lights in the other chamber comes to us in a form that would have denied the sitting judges the salaries they are now receiving, and would have given them only the amount of the increases carried in the bill?

Mr. GRIFFITHS. Mr. Speaker, I understand that there were amendments made in the Senate which took the bill a little out of line in its form, and not the original bill proposed by the Bar Association, which was properly drawn,

Mr. ANDREWS. Mr. Speaker, does the gentleman have any support for his contention from the legal lights on the other side of this House?

Mr. GRIFFITHS. Mr. Speaker, I know no more about this bill than the gentleman who is asking the question.

Mr. ANDREWS. Mr. Speaker, might I ask from what source; from his own store of legal lore or from advice received from competent legal authority as to where the amendments originated?

Mr. GRIFFITHS. I would deny on the one point, and answer the other in the affirmative, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman evolved it from his own store of legal lore, is that correct?

Mr. GRIFFITHS. Well, Mr. Speaker, I looked the bill over myself and was advised by those who ought to know, who saw the same.

Mr. ANDREWS. Mr. Speaker, I am astonished, I am amazed, and I have confirmation of my original theory that we should have passed this along the lines of merit rating, giving judges who were good judges and who knew the law promotions, and then when they had appeals against them, when they were reversed on appeal and they didn't know the law, then you send them back to school at public expense, and then if they came back on the bench and were continually reversed, then knock them out completely. But to be told that this bill be before us, which has the sanction of the judicial brains of this state, has come before us in this position amazes me, and I still would ask whether there is any lawyer over on the majority side other than the gentleman from Philadelphia that agrees with his contention, because if there is not I would feel impelled to vote against his amendment.

Mr. BRUNNER. Mr. Speaker, I for one agree with the gentleman from Philadelphia, Mr. Griffiths, in what he has aid on the floor of the House.

Mr. READINGER. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia, Mr. Griffiths.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GRIFFITHS. I will, Mr. Speaker.

Mr. READINGER. Will the gentleman tell me, Mr. Speaker, if he knows, what the present salary is of the President Judges of the Court of Common Pleas of Allegheny County.

Mr. GRIFFITHS. Just a moment, I will be glad to give you that information—fourteen thousand dollars, Mr. Speaker.

Mr. READINGER. Do I understand the gentleman's amendment that he has explained to Section 8 amending page 4, line 18, by striking out the words "increased two thousand" and inserting in lieu thereof the following "twelve thousand five hundred dollars,"—is the gentleman reducing the salary of that particular President Judge?

Mr. GRIFFITHS. I understand, Mr. Speaker, that this is made to conform with the basic scale, and then the increase is added.

Mr. READINGER. Can the gentleman tell me where in the bill the salary is increased from twelve thousand five hundred dollars according to the gentleman's amendment.

Mr. GRIFFITHS. Page 2, Section 4, two lines from the bottom of the page.

Mr. READINGER. At the bottom of page 2, Section 4?

Mr. GRIFFITHS. That's what I said, Mr. Speaker.

Mr. READINGER. Does that grant the increase?

Mr. GRIFFITHS. That's right.

Mr. READINGER. Will the gentleman tell me which district the County of Allegheny is?

Mr. GRIFFITHS. The fifth.

On the question recurring,

Will the House agree to the amendments offered by Mr. Griffiths to section 4?

They were agreed to.

The section as amended was agreed to.

The seventh section was read.

On the question,

Will the House agree to the amendments offered by Mr. Griffiths to section 7?

Mr. ANDREWS. Mr. Speaker, it is my original theory, that after all, notwithstanding the inconsistencies in this bill, after all the judges, the beneficiaries of this bill will ultimately decide as to what this Legislature intended to do, and I have no doubt that they will interpret the doubt in favor of the bench.

On the question recurring,

Will the House agree to the amendments offered by Mr. Griffiths to section 7?

They were agreed to.

The section as amended was agreed to.

The eighth section was read.

On the question,

Will the House agree to the amendments offered by Mr. Griffiths to section 8?

Mr. READINGER. Mr. Speaker, I request again to interrogate the gentleman from Philadelphia, Mr. Griffiths.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GRIFFITHS. I will, Mr. Speaker.

Mr. READINGER. Will the gentleman kindly explain how this bill, which in Section 4 his new amendment reads "The annual salary of each of the Judges of the Courts of Common Pleas of the first and fifth judicial districts shall be sixteen thousand five hundred dollars," and Section 8 of the proposed amendment reads: "The annual salary of the President Judge of the County Court of Allegheny County shall be increased two thousand dollars,—pardon me, he strikes out the words "increased two thousand dollars" and inserts in lieu thereof "shall be twelve thousand five hundred dollars, the annual salary of each of the other judges of said court shall be twelve thousand dollars." What will be the salary? One sixteen thousand five hundred and the other twelve thousand five hundred?

Mr. GRIFFITHS. Mr. Speaker, I think it would be logical if the House would pass this bill over temporarily until we can explain these matters satisfactorily to the gentleman rather than waste the time of the House.

Mr. BROWN. Mr. Speaker, I think we are all a little confused. I think I have caught one of the difficulties, and if the gentleman from Philadelphia will have the time to listen I think we can clear it up. I think Section 4 applies only to the Court of Common Pleas, and Section 8 on page 4 applies to the County Court of Allegheny County. I think that is clear. The others are still somewhat confused, but if the gentleman wishes to pass it

over that is all right. I think that the inquiry on the part of the gentleman from Berks, Mr. Readinger, can be explained in that manner.

Mr. HALLER. Mr. Speaker, in order to further clarify the record so far as the inquiry of the gentleman from Berks, Mr. Readinger, concerning this provision, I might say also that that provision applying to our County Court also takes care of our judges of the Juvenile Court, who by law receives the same salary as the judges of the County Court.

On the question recurring,

Will the House agree to the amendments offered by Mr. Griffiths to section 8?

They were agreed to.

The section as amended was agreed to.

The ninth section was read.

On the question,

Will the House agree to the amendments offered by Mr. Griffiths to section 9?

They were agreed to.

The section as amended was agreed to.

On the question

Will the House agree to the amendments offered by Mr. Griffiths to section 11?

They were agreed to.

The section as amended was agreed to.

The SPEAKER. The Chair now lays before the House the amendments offered by the gentleman from Washington, Mr. Mazza.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 2, line 9, by striking out at the beginning of the line the words "twenty-three" and inserting in lieu thereof the following: "twenty-two."

Amend Sec. 2, page 2, line 9, by striking out after the word "thousand" the words "five hundred."

Amend Sec. 2, page 2, line 10, by striking out at the beginning of the line the figures "(\$23,500)" and inserting in lieu thereof the following: "(\$22,000)."

Amend Sec. 2, page 2, line 12, by striking out at the beginning of the line the word "three" and inserting in lieu thereof the word: "One."

Amend Sec. 2, page 2, line 12, by inserting after the word "thousand" the following: "Five Hundred."

Amend Sec. 2, page 2, line 12, by striking out at the end of the line the figures "(\$23,000)" and inserting in lieu thereof the following: "(\$21,500)."

Amend Sec. 3, page 2, line 15, by striking out after the word "twenty" the word "one."

Amend Sec. 3, page 2, line 15, by striking out after the word "thousand" the word "five" and inserting in lieu thereof the word: "three."

Amend Sec. 3, page 2, line 16, by striking out at the beginning of the line the figures "(\$21,500)" and inserting in lieu thereof the following: "(\$20,300)."

Amend Sec. 3, page 2, line 17, by striking out at the end of the line the word "twenty."

Amend Sec. 3, page 2, line 18, by striking out at the beginning of the line the word "one" and inserting in lieu thereof the following: "nineteen."

Amend Sec. 3, page 2, line 18, by inserting after the word "thousand" the following: "eight hundred."

Amend Sec. 3, page 2, line 18, by striking out after the word "dollars" the figures "(\$21,000)" and inserting in lieu thereof the following: "(\$19,800)."

Amend Sec. 4, page 3, line 1, by striking out before the word "thousand" the word "sixteen" and inserting in lieu thereof the word: "fifteen."

Amend Sec. 4, page 3, line 1, by striking out after the word "thousand" the word "five" and inserting in lieu thereof the word: "four."

Amend Sec. 4, page 3, line 2, by striking out after the

word "dollars" the figures "\$16,500" and inserting in lieu thereof the following: "\$15,400."

Amend Sec. 4, page 4, line 1, by striking out after the word "by" the words "two thousand dollars" and inserting in lieu thereof the following: "a sum equal to ten per centum (10%) of such annual salary."

Amend Sec. 5, page 4, line 4, by striking out after the word "receive" the word "eighteen" and inserting in lieu thereof the word: "sixteen."

Amend Sec. 5, page 4, line 4, by inserting after the word "thousand" the following: "five hundred."

Amend Sec. 5, page 4, line 4, by striking out after the word "dollars" the figures "\$18,000" and inserting in lieu thereof the following: "\$16,500."

Amend Sec. 7, page 4, line 13, by inserting after the word "increased" the following: "one thousand dollars."

Amend Sec. 7, page 4, line 13, by striking out after the figures "\$14,900" the figure "\$2,000" and inserting in lieu thereof the following: "\$1,000."

Amend Sec. 7, page 4, line 15, by striking out after the word "increased" the word "two" and inserting in lieu thereof the word: "one."

Amend Sec. 7, page 4, line 16, by striking out the figure "\$2,000" and inserting in lieu thereof the following: "\$1,000."

Amend Sec. 8, page 4, line 18, by striking out after the word "increased" the word "two" and inserting in lieu thereof the word: "one."

Amend Sec. 8, page 4, line 19, by striking out after the word "dollars" the figure "\$2,000" and inserting in lieu thereof the following: "\$1,000."

Amend Sec. 8, page 5, line 2, by striking out after the word "increased" the word "two" and inserting in lieu thereof the word: "one."

Amend Sec. 8, page 5, line 3, by striking out after the word "dollars" the figures "\$2,000" and inserting in lieu thereof the following: "\$1,000."

Amend Sec. 9, page 5, line 7, by striking out after the word "of" the second time it appears in said line the word "forty" and inserting in lieu thereof the word: "thirty."

Amend Sec. 9, page 5, line 8, by striking out at the beginning of the line the figures "\$40" and inserting in lieu thereof the following: "\$30."

Amend Sec. 11, page 5, line 13, by striking out at the end of the line the word "June" and inserting in lieu thereof the following: "July."

The second section was read.

On the question,

Will the House agree to the amendments offered by Mr. Mazza to section 2?

Mr. HALLER. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Washington, Mr. Mazza. The judges of this Commonwealth have received no increase for eighteen years, whereas in the last five years approximately ninety-nine per cent of the state employes have received a series of increments running approximately like this: in 1942 they received a fifteen per cent increase; in 1945 they received a ten per cent increase; in 1946 they received a fifteen per cent and a five per cent increase. The present budget provides for another ten per cent increase planned this summer, and this ten per cent increase will in effect be a fourteen and a half per cent increase over the salary in 1942. In short they have been raised since 1942 on an average between forty-six and fifty-nine and a half per cent. Many of them also received a number of merit raises in addition to these overall increases.

The Judges are not county officers and should not be compared with them any more than school teachers and Legislators should be compared with county officers.

Judges are the only elected officials who must surrender their business when they assume office. If a lawyer,

insurance agent, or merchant is elected to any other office he generally continues as a lawyer, insurance agent or merchant and does not go out of business. Even Cabinet officers can and oftentimes do continue in their business or profession at least to a limited degree.

Most of the Judges now on the bench gave up their law practice and assumed office when state employes were exempt from all income tax. They are the only elected or appointed officials of whom that is now true. Their salaries were set in 1929 on the theory and with the understanding that they were exempt from all income tax.

The salary schedule as proposed by the present bill before the House is a reasonable one. It operates to increase the present salaries approximately twenty per cent, which is far from being out of line with the present cost of living. In the higher brackets of our Supreme and Superior Courts it effects approximately a seventeen per cent increase. The salary of our Juvenile Court Judge, of course, is covered by the proposed increase for the County Court Judges in Allegheny County, therefore I wish to submit to you Members of the House that in this time when we have taken it upon ourselves to raise the salaries of all governmental officials and employes to the extent where we have raised salaries of state employes over forty-five per cent, that we are not out of line when we grant an increase to our Judges, who hold one of the most responsible offices in this Commonwealth, approximately a twenty per cent increase, and I therefore ask that you vote down the amendments offered by the gentleman from Washington, Mr. Mazza.

Mr. ANDREWS. Mr. Speaker, I understand now that we are concerned with only the salary increases of the Judges of the Supreme Court, and that is the Section upon which we are voting, and not any other?

The SPEAKER. We are discussing Section 2 and the amendments.

Mr. ANDREWS. Mr. Speaker, under the present bill at the present time as I understand it, the Judges of the Supreme Court are paid nineteen thousand five hundred dollars, and the proposed bill is twenty-three thousand dollars, and the amendment would reduce the figure below twenty-three thousand dollars, is that right?

The SPEAKER. That is correct.

Mr. ANDREWS. Mr. Speaker, on some of the other sections I am in agreement with the proposed increases. I am opposed to the increases in the case of the Supreme Court.

The SPEAKER. We are voting on the Supreme Court amendment, which would reduce the salary of the Supreme Court Justices from twenty-three thousand dollars as now contained in the bill to twenty-two thousand dollars. You are now about to vote on the amendment.

Mr. LAYER. The Speaker said we were voting to reduce. I understood that we were voting to increase the salaries, and this increase is ten per cent.

The SPEAKER. The gentleman is in error. That is the reason the Chair was trying to explain the amendment again to Section 2. As the bill now reads the Chief Justice of the Supreme Court receives twenty-three thousand five hundred dollars and the other members of the Supreme Court would receive twenty-three thousand dollars, under the present provisions of the bill. Under the amendments offered by the gentleman from Washington, Mr. Mazza, he

would reduce that figure in the present bill to twenty-two thousand dollars for the members of the Court.

Mr. REAGAN. Mr. Speaker, I would like to inquire what is the present salary that these gentlemen learned in the law are receiving.

The SPEAKER. If the Chair is correct, he believes it is nineteen thousand five hundred dollars. Is that correct?

Mr. ANDREWS. Nineteen thousand five hundred dollars.

The SPEAKER. Nineteen thousand five hundred dollars is the present salary. Under the bill now before the House it would increase the salary of the Supreme Court Judges to twenty-three thousand five hundred dollars for the President Judge and twenty-three thousand for the other members. Under the amendment offered by the gentleman from Washington he is reducing the amount now contained in the bill to twenty-two thousand dollars for the members of the Court.

Mr. REAGAN. Mr. Speaker, I would like to remark that the gentleman who introduced these amendments was certainly very modest, very modest indeed.

Mr. LAYER. Mr. Speaker and Members of the House, I understand that the bill as written increases the salaries from nineteen thousand dollars to twenty-three thousand dollars and to twenty-three thousand five hundred dollars.

The SPEAKER. That is correct.

Mr. LAYER. And the amendments that the gentleman from Washington has offered also increase the salaries of the Judges, but three thousand dollars, is that correct.

The SPEAKER. That is correct. It increases it by twenty-five hundred dollars.

On the question recurring,

Will the House agree to the amendments by Mr. Mazza to section 2?

On a rising vote, 36 Members voted in the affirmative and 80 in the negative, the question was determined in the negative and the amendments were not agreed to.

The section was agreed to.

The third section was read.

On the question,

Will the House agree to the amendments offered by Mr. Mazza to section 3?

Mr. HALLER. Mr. Speaker, I urge the defeat of this amendment for the same reasons as I outlined a little while ago and urge you to support the bill without the amendment.

Mr. WEISS. Mr. Speaker, I believe the Members are still confused as to the rates.

The SPEAKER. The Chair understands that the gentleman from Westmoreland, Mr. Weiss, has a lot of company. The Chair was trying its best to clarify the issue in the former amendment. The Chair might say that the present schedule of the Superior Court Judges is fifteen thousand dollars. Under the proposed schedule in Senate Bill No. 94 it would be twenty-one thousand dollars. The amendments of the gentleman from Washington, Mr. Mazza, if the Chair reads correctly, would reduce this amount to twenty thousand three hundred dollars for the Chief Justice and nineteen thousand eight hundred dollars for the other members of the Superior Court.

Mr. WEISS. Mr. Speaker, then an "aye" vote on this amendment would amount to a straight ten per cent increase on the present salaries. Am I correct?

The SPEAKER. You would be voting an increase over

the present salaries, but a decrease from what is presently contained in the bill.

Mr. WEISS. And a "no" vote would mean eighteen to twenty per cent increase over the present salary?

The SPEAKER. That is correct.

Mr. WEISS. Mr. Speaker, I understand that an "aye" vote increases the present salaries ten per cent?

The SPEAKER. That is correct.

Mr. ANDREWS. Mr. Speaker, we might say it the other way, that the amendments now pending increase the present salaries of the Superior Court at least four thousand three hundred dollars.

Mr. WATERHOUSE. Mr. Speaker, I certainly am confused. I have followed this fifteen per cent or four thousand dollars, and even with this amendment it seems to me quite an increase. Another thing that confuses me, being a Member of the House for a second term, fairly new yet, but we thought it was a terrible thing that we were going to increase the teachers' salaries so that those who had gone through college and had taken all the degrees that were obtainable could finally make four thousand or forty-eight hundred dollars a year. Now we think it is a terrible thing if we don't increase our Judges by six thousand dollars per annum. If we can give our Judges a six thousand dollar increase where they are already making fifteen thousand dollars a year I think this bill that we are trying to get through for our teachers is certainly inadequate. We have the teacher who is certainly as well educated as those learned in the law, and some of them in Philadelphia and Pittsburgh get four thousand eight hundred dollars for it, but unless he is able to keep up a pretty good appearance, he is not going to get that forty-eight hundred dollars. I am certainly opposed to anything but a ten per cent increase unless it is all over the board. They say that our officials have been granted increases in the past, and that is not true.

In our county our county commissioners and our other public officials have been getting the same salary for the last ten years. Our Judges are getting twelve thousand dollars, and that to me is pretty good money. Under this he would get fourteen thousand dollars, and I certainly cannot see more than ten per cent, so I would be in favor of this amendment and definitely against the bill.

Mr. REAGAN. Mr. Speaker and Members of the House, I have always been impressed with the Democratic Floor Leader's statement, often repeated, "Don't pull any lawyers' tricks on me," and it seems to me that these bills—and I have lots of lawyer friends, understand, and I respect them highly, but it seems to me that this is a judicial trick instead of a lawyers' trick. I repeat what I said before, that this amendment seems to me modest, most modest, too modest.

Mr. MAZZA. Mr. Speaker, to clarify the issue that is before us we are increasing the salaries of the Superior Court Judges from their present salaries. They are getting an increase of five thousand three hundred dollars. In my opinion it is not a bad increase.

The SPEAKER. The Chair might state that the schedule that has been presented to it, giving the present and proposed salaries, contained an error in typing. The Chair in reply to the question addressed to the Chair as

to the present salaries mentioned fifteen thousand dollars in the Superior Court, and that is not correct. The present salary is eighteen thousand dollars, and under the bill proposed it would be twenty-one thousand dollars. Under the amendment it would be decreased to twenty thousand dollars.

Mr. WORLEY. Mr. Speaker, I would like to know when the time comes to make my motion.

The SPEAKER. Patience is a virtue.

Mr. HALLER. Mr. Speaker, in order to clarify, I want to point out this one thing, the amendments offered by the gentleman from Washington, Mr. Mazza, operate to give a ten per cent increase over the present salaries. The bill as passed in the Senate and as it came over to the House provides for an increase of between seven-teen and twenty per cent.

Mr. WATERHOUSE. Mr. Speaker, again I am confused. Six thousand dollars increase on fifteen thousand dollars?

The SPEAKER. The Chair just explained that he was in error in the schedule that had been presented to him; that there was a typographical error. The Chair said fifteen thousand dollars, it should have been eighteen thousand dollars.

Mr. WATERHOUSE. Mr. Speaker, that's only three thousand dollars; that's only half as bad.

Mr. READINGER. Mr. Speaker, as I understand it now if we vote for Mr. Mazza's amendments we will vote to increase the salaries of the Superior Court Judges from eighteen thousand to nineteen thousand eight hundred dollars.

The SPEAKER. That is correct.

Mr. READINGER. And if we vote against the amendments and for the bill as now drawn we will vote to increase them by three thousand dollars a year, is that correct?

The SPEAKER. That is correct.

On the question recurring,

Will the House agree to the amendments offered by Mr. Mazza to section 3?

On a rising vote 45 Members voted in the affirmative and 82 in the negative. The question was determined in the negative and the amendments were not agreed to.

The section was agreed to.

The fourth section was read.

On the question,

Will the House agree to the amendments offered by Mr. Mazza to section 4?

The SPEAKER. Will the gentleman from Washington, Mr. Mazza, please explain the amendments to Section 4?

Mr. MAZZA. Mr. Speaker, this is becoming more confusing, and I can hardly answer the question myself. What the whole amendment is, it simplifies this whole thing. It means approximately ten per cent increase over the salaries that they are getting now. This proposed increase that is proposed in the bill is approximately an eighteen per cent increase, which I honestly feel is too high. What it is doing is to cut it down to ten per cent, so if you approve these amendments, which are on a ten per cent basis, I think we will go through a lot faster.

Mr. HALLER. Mr. Speaker, again I want to urge the

Members to vote down the amendments for the reasons that I outlined earlier in the afternoon.

Mr. BROWN. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Mazza.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. MAZZA. I will, Mr. Speaker.

Mr. BROWN. May I ask the gentleman from Washington, Mr. Mazza, inasmuch as the cut to ten per cent did not prevail for the Judges in the higher brackets, would he not be in a better position to now withdraw the rest of his amendments?

Mr. MAZZA. I will, Mr. Speaker.

The SPEAKER. The gentleman from Washington now withdraws the remainder of the amendments not acted upon.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fifth and sixth sections were read and agreed to. The title was read.

On the question,

Will the House agree to the title?

Messrs. TOMPKINS and GREENWOOD offered the following amendments:

Amend Title, page 1, line 3 from end of title, by striking out the word "and."

Amend Title, page 1, next to last line of title, by inserting after the word "and" the following: "certain associate judges not learned in the law, and."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title was agreed to as amended.

On the question,

Will the House agree to the bill on second reading as amended?

MOTION TO RECOMMIT

Mr. WORLEY. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mr. HALLER. Mr. Speaker.—I yield to the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, I would like to speak on my motion.

The SPEAKER. The Chair was unaware of that fact. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, this judges' increase salary bill is so enormous that it amounts to an outrage on the State Treasury at this time in the light of recent taxes and recent expenditures. Too often previous Legislatures were afraid to stand up against the Judges, and too often the lawyers in the Legislature have been afraid to oppose the Judges because they have to come before the courts with their cases, or because some of them expect to be judges themselves.

Remember that after the raise is made it will never be lowered. I don't know what this House will do. The vote on this motion will tell. Do you think the Judges

need this raise? I certainly say they do not. Let me give you an example: In Adams County we have a Judge who gets nine thousand dollars per year. He also gets twenty dollars per day plus mileage to sit in any other court in assisting such other court, then he gets twenty per day plus up to ten cents per mile to travel from Gettysburg to Carlisle to handle all court matters in Cumberland County since the death of the late Judge Reese, and in addition to all this he is guaranteed a retirement of four thousand five hundred dollars per year for the rest of his lifetime.

Now remember, he is one of the lowest salaried Judges in the state, since his district has less than 65,000 population. The salaries range from nine thousand dollars to twenty thousand dollars under the present law. Then we are asked by the Pennsylvania Bar Association to raise his and other Judges' salaries. Do the Members of this House think it is proper and just to come here and waste public money in this outrageous manner? I have been informed that this bill will cost the Commonwealth of Pennsylvania almost one million dollars of the taxpayers' hard earned money. I submit that I for one will try to protect the people of Pennsylvania from this attempted lavish waste.

Mr. HALLER. Mr. Speaker, as I said earlier today, I want to urge you to vote in favor of this bill and against the motion now to recommit. As I said before, in 1929 when the Judges' salaries were fixed by law it was taken into consideration that they would not have to pay any income tax, and that they would be given a salary commensurate with the work that they do, and that they had arrived at probably the highest station that a member of the Bar could achieve. Since that time I know that in my own County of Allegheny we have had competent lawyers that would have made excellent Judges, but by reason of the salaries offered them could not accept such a position of trust, in other words it was possible for them by reason of their skill and talent to secure employment as counsel in private practice which would far exceed any reimbursement or salaries they would receive as a Judge. So far as the cost is concerned to the taxpayers, we of this House have witnessed a series of bills which have resulted in increases in salaries to all of our public officials, and I urge you to vote down this motion, for the reason that we are giving to some of our highest public men of this Commonwealth only the reasonable increase which they deserve at this time.

Mr. READINGER. Mr. Speaker, I would like to raise my voice in opposition to Mr. Worley's motion to recommit. He speaks about the increased cost to the Commonwealth of these increases, and there is no doubt there is an increased cost, but the increased cost in the future if we do not raise the salaries when they should be raised, through getting a lot of mediocre Judges on the bench, would be tremendous in comparison with the cost under this bill.

In the State of New York I am informed that the Judges equivalent to our Common Pleas Judges receive twenty-five thousand dollars a year. Many of our Common Pleas Judges of Pennsylvania today are receiving as low as nine thousand dollars, some twelve thousand dollars and some fourteen thousand dollars. I just want you to bear in mind the tremendous cost that we might incur if we

let the judicial branch suffer by keeping their salaries at such a low figure that good men will not aspire to office in the future, but will retire to the practice of law and get a great deal more money than they are getting today.

Mr. LOVETT. Mr. Speaker, since the attorneys have teamed up on my colleague over there, I think it is only fair, and I think he had the only sensible motion when he made his motion to recommit this bill. My colleague, Mr. Brown, had the gentleman withdraw his other amendments due to the fact that the amendments affecting the Judges in the higher brackets were defeated. Honestly I say to you that I think the membership of this House owes it to the people of Pennsylvania to act intelligently and to recommit this bill to the Committee so that we can get a bill that we know something about. I certainly am in favor of the motion to recommit.

Mr. GRIFFITHS. Mr. Speaker, I cannot agree with the last speaker. The purpose of this bill is to increase the Judges' salaries from approximately seventeen per cent to twenty per cent. It has been pointed out that there have been no increases since 1929 in the salaries of the Judges. Since that time the Federal income tax has taken anywhere from twenty-two to thirty per cent of the salaries. You understand that the Judges were not taxed in 1929 when the present Judges' salaries were fixed. In addition, however, the state employes, probably ninety-nine per cent of them have received an increase of nearly fifty per cent. The Judges have not. I do not wish to go into those reasons, but I wish to state, Mr. Speaker that there is a fundamental reason here for us to consider, and it is the independence of the judiciary.

If we are going to underpay our Judges we are not going to have any independent judiciary. I can say to you today, and you all know that the safeguard of the rights of the people of this nation is equal justice under the law. We need the law to protect us, and if we force our Judges to go into private business and other fields of endeavor in order to maintain themselves and families on the scale in which a Judge and his family in a community must maintain themselves, I say that we are going to force our Judges to be dependent on something other than the interpretation of the law and that we are taking a step in the wrong direction. Therefore we should defeat this motion to recommit.

Mr. COLE. Mr. Speaker, not being a lawyer, far be it from me to get into this legal argument. There is just one point that I want to bring out on this particular bill. I always go on the theory that we must pay public officials a good salary if we want to get good public officials. I want to point out the inconsistency in this bill where we raise the Judges' salaries eighteen per cent, and we passed a bill the other day to raise the pay of the county commissioners and other officials ten per cent. In my county, which is a second class county, our Judge has to take care of the duties of the Court of Common Pleas and Orphan's Court and other duties whereas in these other counties they have a Judge for each court. I think it is only fair that the Judges back in the counties where they do all the business should receive the same salary as the Judges in these other counties that only take care of one court.

Mr. WORLEY. Mr. Speaker, I would like anyone in

this House to tell me how many Judges have resigned because of low salaries. They say we will lose our Judges. Now, I submit to this House that from nine thousand dollars to twenty thousand dollars,—I believe I could live on it and I believe anyone else in this House could live on it. After all this confusion and uproar in this House I believe that the Members don't know what they are voting on now. I think we should send it back to the committee and give it further study, even for those Members who are for it, and for those who are opposed to it certainly we should send it back and keep it there.

Mr. WEISS. As a Democratic lawyer where we have four Democratic judges in our county, it would serve my political expediency to vote for this particular measure but I cannot see the fairness of it. I believe if we give a ten per cent increase to the Judges the same as all other officers, even though they might be deserving, the people would understand that, but to put them in a class by themselves certainly does not seem to be fair. And I say to the Members that I am one lawyer who does not expect any political favors by voting for an increase which is not merited, and I believe that due to the fact that the Members could not see fit to give the other officials any more than ten per cent of an increase, that such an increase to the Judges would be unfair, especially due to the fact that the salaries are as high as they are. The other officials were on the basis of five thousand dollar or six thousand dollar salaries, and it certainly ought to be recommitted.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. Lovett and Russell S. Reese and were as follows:

YEAS—12

Brelsch.	Goodling,	Reagan,	Worley,
Crowley,	Lovett,	Reese, R. E.,	Yester,
Dix,	O'Connor,	Weiss,	Young,

NAYS—173.

Aaronson,	Gallagher,	Mazza,	Sax,
Andrews,	Getchey,	McCormack,	Scanlon,
Bane,	Gibson,	McCosker,	Schuster,
Barrett,	Goff,	McCullough,	Scott,
Baumunk,	Gorman,	McDonald,	Serrill,
Besch,	Graybill,	McKinney,	Shoemaker,
Bender,	Greenwood,	McMillen,	Simons,
Bloom,	Greer,	Mikula,	Smith, C. C.,
Bonawitz,	Griffiths,	Miller,	Smith, J. M.,
Boorse,	Guthrie,	Mills,	Snider,
Bower,	Gyger,	Mintess,	Sollenberger,
Brice,	Hall,	Mohr,	Sorg,
Brown,	Haller,	Mooney,	Sproul,
Brunner,	Haudenschild,	Moore, C. E.,	Stank,
Bucchin,	Henry,	Moore, H. A.,	Stimmel,
Cadwalader,	Hewitt,	Murray,	Stockham,
Capano,	Hocker,	Myers,	Stonler,
Cassidy,	Hoffman,	Najaka,	Stuart,
Charvenak,	Hoopes,	Naumann,	Swope,
Clevenger,	Horan,	Needham,	Tahl,
Cochran,	Imbt,	Nelson,	Thomassy,
Cole,	Jennings,	O'Dare,	Thompson,
Cook,	Johnson,	O'Donnell,	Tittle,
Cooper,	Johnston,	O'Neill,	Tompkins,
Cordier,	Jones,	Orban,	Toomey,
Costa,	Jump,	Patten,	Upshur,
Dague,	Kean,	Petrosky,	Vaughan,
Dalrymple,	Keiley,	Pichney,	Verona,
Davison,	Kemp,	Polaski,	Wachhaus,
Demech,	Kent,	Powers,	Wagner,
Deputy,	Kirley,	Price,	Waldron,
Dye,	Kline,	Propert,	Walton,
Eisenberg,	Kohl,	Ragot,	Waterhouse,

Elder,	Krise,	Readinger,	Watkins,
Erb,	Kurtz,	Reese, D. P.,	Watson,
Evans,	Laughner,	Reilly, J. M.,	Weidner,
Ewing,	Layer,	Reilly, W. J.,	Wescott,
Feola,	Lee,	Richter,	West,
Fish,	Leisey,	Riley,	Wood,
Fiss,	Livingston,	Rose,	Yeakel,
Flack,	Livingstone,	Rowen,	Yetzer,
Fleming,	Loftus,	Royer,	Lichtenwalter,
Foor,	Lyons,	Robbins,	Speaker,
Frost,	Madden,	Robertson,	

NOT VOTING—20.

Bentzel,	Helm,	Neff,	Turner,
Boies,	Kratz,	Pickens,	Wallin,
Chudoff,	Madigan,	Root,	Wheeler,
De Long,	Mihm,	Sarraf,	Wolf,
Dennison,	Morrison,	TROUT,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 636.

An Act to further amend section eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings specifications or other data.

Referred to the Committee on State Government.

SENATE BILL No. 755.

An Act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

Referred to the Committee on Judiciary.

SENATE BILL No. 756.

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain

employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies with the approval of the Governor to acquire by purchase or condemnation land with or without buildings to erect buildings to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of said lease to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary and providing that land and buildings acquired hereunder shall be exempt from taxation.

Referred to the Committee on State Government.

SENATE BILL No. 769.

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure in the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 788.

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 808.

An Act to provide for an inventory of existing hospitals, for a survey of the need for additional hospital facilities, and for the development and administration of a hospital construction program which will, in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money,

establishing methods of administration and control, providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder, authorizing the acceptance and expenditure of Federal funds in accordance with such requirements.

Referred to the Committee on Appropriations.

SENATE BILL No. 810.

An Act to further amend sections three, four and five of the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 158), entitled "An act creating a Legislative Reference Bureau; providing for the election of a director by the General Assembly; designating the officers and employees of such bureau, defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau; and making an appropriation," further defining the powers of the director with respect to the employees of the Bureau, and increasing the director's salary.

Referred to the Committee on State Government.

SENATE BILL No. 826.

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

Referred to the Committee on State Government.

SENATE BILL No. 830.

An Act to further amend section seven of article two of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Secretary of Mines where the need demands to reduce or increase the number of inspectors assigned to a particular inspection district and to assign duties to an inspector in an inspection district other than the district in which he resides and in general making provisions thereof conform to existing law.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 857.

An Act to amend section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to

establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the salary of school controllers.

Referred to the Committee on Education.

SENATE BILL No. 858.

An Act to further amend section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the limit on the amount to be retained by registers of wills for their own use for collecting inheritance taxes as agents of the Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 862.

An Act making an appropriation to the Chapman Recreational Park Mead Township Warren County for constructing buildings and improvements and maintenance thereof.

Referred to the Committee on Appropriations.

SENATE BILL No. 865.

An Act to amend section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in certain newspapers in certain cases.

Referred to the Committee on Elections and Apportionment.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. CADWALADER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 578, entitled:

An Act amending revising and consolidating the laws

relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws.

Mr. KRISE from the Committee on Professional Licensure, reported as committed, Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" further regulating the licensing of dental hygienists.

Mr. GOODLING from the Committee on State Government, reported as committed, Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employees of institutions and of the courts.

Mr. BOWER from the Committee on State Government, reported as committed, Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

Mr. BRUNNER from the Committee on Rules, reported as committed, House Resolution No. 69.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 578, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 837, entitled:

An Act to amend clause (d) of section three of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" further regulation the licensing of dental hygienists.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 847, entitled:

An Act to amend section one thousand three hundred thirteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the sal-

aries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" extending the activities of the Public Service Institute Board in the Department of Public Instruction to include officers and employees of institutions and of the courts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 860, entitled:

An Act to make unlawful the possession of untaxed or unstamped cigarettes and providing for summary conviction and penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1114 as follows:

An Act to amend thereof section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulation the compensation of watchers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section four hundred seventeen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

* * * * *

Section 417 Appointment of Watchers

(c) No candidate or committee of a political party or of a political body nor any other person or persons shall pay to any watcher [in any election district in a city] compensation in excess of ten (\$10.00) dollars per diem [or to any watcher in any other election district compensation in excess of five (\$5.00) dollars per diem]

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McCullough,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Bentzel,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reese, D. P.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 146, Printer's No. 891 was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 614, as follows:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section providing for absentee voting by bedridden or hospitalized war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article eight of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a new section to read as follows

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters who may on the occurrence of any election be unavoidably absent from the State or county of their residence because of their being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with or as a direct result of their military service may vote and for the return and canvass of their votes in the election district in which they respectively reside

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1023, Printer's No. 820

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1353, as follows:

An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act is an exercise of the police power to provide for the improvement and conservation of lands affected by the mining of anthracite coal by the open pit or strip mining method to prevent the combustion of such coal and the pollution of rivers and streams and improve the use and enjoyment of such lands to preserve the value of such lands for taxation to decrease and prevent soil erosion and aid in the protection of game and wild life and generally to provide for the public safety health and general welfare

Section 2 This act shall be known and may be cited as the "Anthracite Strip Mining Law"

Section 3 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Anthracite" The hard coal mined in the northeasterly part of the Commonwealth of Pennsylvania commonly known as the Anthracite Region

"Strip Mining" The mining or recovery of coal by removing the material which overlies the coal bed in its natural or previously mined condition

"Stripping pit" Any trench cut hole or pit formed by the removal of the surface or coal as a result of strip mining

"Operation" One or more stripping pits located on the property embraced within the boundaries of a colliery provided that in all cases where a single stripping pit extends across a colliery property line such pit will not be considered as two operations because of being located on two colliery properties

"Operator" A person partnership association or corporation engaged in strip mining of anthracite coal as a principal or who is or becomes the owner of the coal recovered as the result of such strip mining

"Spoil banks" The material of whatever nature removed and deposited on the surfaces that the underlying coal may be recovered

"Department" The Department of Mines of the Commonwealth of Pennsylvania

"Landowner" The person partnership association or corporation private municipal or otherwise in which the legal title to the land is vested

"Overburden" The material or strata overlying a seam or seams of anthracite coal in its natural state

"Area of land affected" The area of land from which the overburden is removed

"Deep mining" Such mining as is presently carried on by means of slope tunnel drift or shaft without the removal of the overburden

Section 4 Application for a permit to engage in strip mining of anthracite shall be made on a form prepared and furnished by the Department Such application shall contain an estimate of the number of acres of land that the operator estimates will be the area of land affected by strip mining by the operator during the year immediately following the date of the permit and shall be accompanied by a bond as hereinafter provided and by a filing or license fee in an amount to be calculated at the rate of twenty-five dollars (\$25.00) per acre which the operator estimates will be the area of land affected provided that in no case shall the license fee be less than one hundred dollars (\$100.00)

Section 5 Any permit issued by the Department as required by this act shall remain in force and effect for a period of one (1) year from its date and shall permit the operator to engage in as many operations as he may wish during such period of one (1) year and shall remain in force during such period of one (1) year provided that the operator shall faithfully perform all of the requirements of this act In the event of a violation of the requirements of this act by the operator it shall be the duty of the Secretary of Mines to cancel and withdraw such permit

Section 6 The operator shall file with the Department of Mines a bond on a form to be prescribed and furnished by the Department payable to the Commonwealth and conditioned that the operator shall faithfully perform all the requirements of this act The bond shall be in the amount of two hundred dollars (\$200.00) per acre based upon the number of acres of land which the operator estimates will be the area of land affected by strip mining during one (1) year immediately following the date of the permit issued by the Department provided that no bond shall be for an amount less than two thousand dollars (\$200.00) Liability under the bond shall be for the duration of strip mining at each operation and for a period of five years thereafter unless released prior thereto in the manner hereinafter provided by this act

Such bond shall be signed by the operator and a corporate surety licensed to do business in the Commonwealth provided however that in lieu of a surety bond the operator may file a collateral bond secured by cash in the form of a certified or cashier's check or United States Government securities The cash deposited or the par value of such United States Government securities shall be equal to the amount of the required bond and shall be held upon the same terms and conditions

The Secretary of Mines shall upon receipt of any such deposit of cash or securities immediately deposit the same with the State Treasurer whose duty it shall be to receive and hold the same in the name of the Commonwealth for the purpose for which such deposit is made The State Treasurer shall at all times be responsible for the safekeeping of such deposits

Any operator making such deposit shall be entitled to receive from the State Treasurer on written order of the Secretary of Mines the whole or any portion of any securities so deposited upon depositing with the Department in lieu thereof a surety bond or other United States Government securities of a par value at least equal to the sum required for a bond as aforesaid

The operator shall also be entitled upon request to receive from the State Treasurer the interest or income from said securities deposited as aforesaid as the same become due and payable provided however that where securities deposited as aforesaid mature or are called the State Treasurer at the request of the operator shall convert such securities into other acceptable securities designated by the operator

Section 7 Upon application by the operator the permit may be renewed from year to year so as to cover the number of acres embraced in the original permit which have not been stripped and an additional permit may be issued at any time to the operator to cover acres which are not included in a previous permit and which the operator estimates will be the area of land affected during the fol-

lowing year No license fee shall be charged for a renewal permit and the fee for an additional permit shall be calculated at the rate of twenty-five dollars (\$25) per acre for the number of acres which the operator estimates will be the area of land affected during the following year All such moneys received by the Department shall be deposited in a special fund with the State Treasurer and shall be expended by the Department of Mines in payment of the cost of administering the provisions of this act Each application for a permit shall be accompanied by a bond as herein provided

Section 8 Within thirty (30) days after the close of the first year's operation and likewise after the close of each subsequent year's operation the operator if his operation is not completed or abandoned shall file with the Department of Mines a new bond at the rate of two hundred dollars (\$200) per acre for each acre covered by the previous bond and remaining to be stripped or backfilled The bond shall not be less than two thousand dollars (\$2000) and shall be accompanied by an annual report upon forms furnished by the Department describing the area of land affected during the preceding year and the area of land that will be affected during the ensuing year under each permit

Section 9 Upon receipt of such annual report the Secretary of Mines shall make an investigation of the operation and shall charge the area of land actually affected by strip mining during the year for which said report is filed against the bond or deposit filed by the operator at the rate of two hundred dollars (\$200) per acre of the area of land affected but in no case shall the bond or deposit retained by the Secretary of Mines be less than two thousand dollars (\$2000) Should the area of land actually affected exceed the estimate made by the operator at the time of the application for the permit the operator shall file an additional bond at the rate of two hundred dollars (\$200) per acre of the area of land affected over and above his estimate provided that an additional bond need not be filed where the number of acres of land actually affected multiplied by two hundred dollars (\$200) does not exceed the sum of two thousand dollars (\$2000) If the work contemplated by the permit and bond be not completed but the area of land actually affected by strip mining during the year is less than the estimate the Secretary shall issue a release of the excess of the bond or deposit upon which liability has not been charged as aforesaid provided that in no case shall any bond or deposit be released or reduced to an amount less than two thousand dollars (\$2000)

Section 10 This act shall not apply to any stripping operation at which less than two hundred and fifty (250) tons of coal have been mined during any one twelve (12) month period and after this fact has been established and the Secretary of Mines is authorized to direct in the manner established for the payment of other obligations of the Commonwealth the return to the operator of the filing fee received and to cancel and return the bond filed by such operator

Section 11 The application for a permit shall be accompanied by a map showing the location of any public highway dwelling house or stream of water on or adjacent to the area of land affected The operator shall backfill the operation made by the strip mining operation to a distance of seventy-five (75) feet from the center line of any such public highway and to a distance of two hundred (200) feet from any dwelling public building school church commercial or institutional building In any case where the legal right of way of the highway shall be less than one hundred twenty (120) feet in width the operator shall backfill for a distance of fifteen (15) feet beyond the boundary line of such right of way The backfilling shall be done in such a manner as to insure lateral support of a public highway and to provide a slope having an angle not exceeding forty (40) degrees The permit issued shall specify the time within which it shall be completed in order to protect the public safety and may require such backfilling to be done in part before the completion of the strip mining operation

The permit shall also specify the distance to which the bottom of the spoil banks made by the stripping mining

operation may approach any stream of water having a well-defined channel Such distances shall be fixed by the department at such number of feet as in the judgment of the department after consultation with the Water and Power Resources Board taking into consideration the character of the overburden is necessary to protect the channel of the stream

Nothing contained in this section shall be construed to prohibit the relocation of any public road in the manner provided by law or the change of the course or channel of any stream in the manner provided by law upon permit issued by the Water and Power Resources Board

Section 12 In any case where a strip mining operation after completion shall leave anthracite exposed the operator shall be required on written order of the department to cover the exposed surface of the anthracite to a depth of five (5) feet in order to prevent the spread of fire to the unmined anthracite

Section 13 In any case where a strip mining excavation after the same is abandoned is likely to result in an accumulation of water which in the opinion of the department may constitute a hazard to present or future deep mining or is likely to break out of the excavation and cause a flood the department shall order the operator before abandoning the operation to provide proper drainage for the excavation if the excavation can be drained reasonably by gravity flow

Nothing contained in this section shall be construed to require the draining of a strip mining excavation where the accumulation of water therein will not in the opinion of the department constitute a hazard or where such water may furnish means of recreation or a supply of water for domestic or industrial uses

Section 14 In all cases in which the Secretary of Forests and Waters shall find as a fact that the planting of such areas is reasonable practicable and likely to succeed the peaks and ridges of such spoil banks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs Within one (1) year after the strip mining operation on the premises is terminated the operator shall plant trees shrubs or grasses upon the surface of the spoil banks and the surface of backfills Any operator however may at his option pay to the Department of Forests and Waters the sum of sixty dollars (\$60.00) per acre for each acre of such surface of spoil banks and backfillings and thereby shall be released from any duty to plant as herein provided The moneys so paid from time to time shall be placed in a special fund in the hands of the Treasury Department of the Commonwealth and shall be used by the Department of Forests and Waters to pay the cost of planting such trees grasses or shrubs and the supervision of such work and all other expenses necessary for or connected with such planting and are hereby appropriated to the Department of Forests and Waters for such purposes Any moneys remaining unused after such planting may be used for planting any other lands affected by strip mining of anthracite coal All planting required by this act to be done by the operator shall be done subject to the supervision and approval of the Secretary of Forests and Waters and upon such approval the secretary shall certify such performance to the Department of Mines If upon inspection the Secretary of Forests and Waters does not approve the planting he shall notify the operator in writing setting forth the objections and after a hearing shall order the planting to be completed in accordance with his final decision

Section 15 Within six (6) months after the backfilling and other acts required by this act have been completed the operator shall file with the Department of Mines a completion report on a form to be prescribed and furnished by the secretary identifying the operation and stating the area of land affected by open pit mining and such other information as may be required by the Secretary before releasing the bond of the operator

Section 16 If and when the Secretary of Mines shall find that the operator has completed the backfilling and other acts as required by this act and shall receive the certificate of the Secretary of Forests and Waters that planting has been done or the payment has been made

if and as required by Section 14 of this act he shall issue a release of the bond or of the cash and securities deposited. Upon the presentation of such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified in its release.

Section 17 If the operator fails or refuses to comply with the requirements of the act as to any area for which liability has been provided in the bond the Secretary of Mines shall declare such portion of the bond forfeited and shall certify the same to the Department of Justice which department shall proceed to sue out and collect the amount of liability forfeited thereon and where the operator has deposited cash or securities in lieu of bond the Secretary of Mines shall declare such portion of the deposit forfeited and shall direct the State Treasurer to pay said moneys into a special fund for the use of the Department or to proceed to sell said securities to the extent forfeited and pay the proceeds thereof into the said special fund. Such moneys or securities so forfeited and collected shall be used by the Secretary of Mines to pay the cost of backfilling and other acts required by this act and the cost of planting as required by Section 14 of this act and any balance not used for these purposes shall be returned to the operator.

Section 18 In the event that an operator or owner desires to conduct deep mining upon the premises affected by strip mining the said operator or owner may make this fact known to the Secretary with the request that the backfilling of pits and the planting as may be necessary to permit deep mining be deferred during the period of such deep mining. In such case the Secretary may defer the backfilling and planting. If such request is made by the owner he shall secure by bond the backfilling of such pit and the planting after the deep mining operation has been completed if the request is made by the operator the bond filed under Section six of this act shall stand as security for such backfilling and planting.

Section 19 The right of the operator or of any other person whose property may be adversely affected to a hearing before the making of any final order or adjudication by the Secretary of Mines or by the Secretary of Forests and Waters and to appeal therefrom shall exist in accordance with the procedure prescribed in the Administrative Agency Law of June 4 1945 Pamphlet Laws 1388 and the Rules of Civil Procedure promulgated by the Supreme Court of this Commonwealth. Such rights to a hearing and to appeal shall also be enjoyed by the duly authorized officials of the political subdivision or subdivisions in which the authorized operation is located.

Section 20 The use of explosives for the purpose of blasting in connection with strip mining in the neighborhood of any public highway stream of water dwelling house public building school church commercial or institutional building or pipe line shall be done in accordance with regulations prescribed by and under the supervision of the Department of Mines.

Section 21 Any operator who proceeds to mine coal commonly known as "anthracite" by the strip mining method without having registered and having received a permit as herein provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars (\$5000.00). The fine shall be payable to the Commonwealth.

Section 22 All acts or provisions thereof inconsistent herewith are hereby repealed provided however That the Act of Assembly approved the eighteenth day of June Anno Domini one thousand nine hundred forty-one (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" and the Act of Assembly approved on the twenty-fifth day of June Anno Domini one thousand nine hundred thirty-seven (P. L. 2275) entitled "An act to promote safety for the traveling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways

and the furnishing to said department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties" and all other acts and provisions thereof which regulate the mining of anthracite coal shall not be repealed or nullified by this act but shall remain in full force and effect. Nothing in this act shall be construed to abrogate or modify the power and jurisdiction of the Department of Mines to make rules and regulations and to administer the laws of the Commonwealth applicable to open pit mining.

Section 23 This act shall become effective immediately upon its final enactment provided however that any person partnership association or corporation which is engaged in strip mining on the effective date of the act shall be allowed the period until the first day of September one thousand nine hundred forty-seven (1947) to file an application secure a permit and deposit a filing fee and bond with the Department of Mines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarrafi,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Miller,	Miller,	Smith, C. C.,
Boles,	Greenwood,	Mills,	Smith, C. M.,
Bonawitz,	Greer,	Mintess,	Snider,
Boorse,	Griffiths,	Mohr,	Sollenberger,
Bower,	Guthrie,	Mooney,	Sorg,
Brelsich,	Gyger,	Moore, C. E.,	Sproul,
Brice,	Hall,	Moore, H. A.,	Stank,
Brown,	Haller,	Morrison,	Stimmel,
Bucchin,	Haudenschild,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Cadwalader,	Henry,	Najaka,	Stuart,
Capano,	Hewitt,	Naumann,	Swope,
Cassidy,	Hocker,	Needham,	Tahl,
Chervenak,	Hoffman,	Neff,	Thamassy,
Chudoff,	Hoopes,	Nelson,	Thompson,
Clevenger,	Horan,	O'Connor,	Tittle,
Cochran,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cook,	Johnson,	O'Neill,	Upshur,
Cooper,	Johnston,	Orban,	Vaughan,
Cordier,	Jones,	Patten,	Verona,
Costa,	Jump,	Petrosky,	Wachhaus,
Crowley,	Kean,	Pichney,	Wagner,
Dague,	Kelley,	Pickens,	Waldron,
Dalrymple,	Kemp,	Polaski,	Wallin,
Davison,	Kent,	Powers,	Walton,
De Long,	Kirley,	Price,	Waterhouse,
Demech,	Kline,	Propert,	Watkins,
Dennison,	Kohl,	Ragot,	Watson,
Depuy,	Kratz,	Readinger,	Weidner,
Dix,	Krise,	Reagan,	Wescott,
Dye,	Kurtz,	Reese, D. P.,	Weiss,
Efenberg,	Laughner,	Reese, R. E.,	West,
Elder,	Layer,	Reilly, J. M.,	Wiesler,
Erb,	Lee,	Reilly, W. J.,	Wolf,
Evans,	Lelsey,	Richter,	Wood,
Ewing,	Livingston,	Riley,	Worley,
Feola,	Livingstone,	Robbins,	Yeakel,
Fish,	Loftus,	Robertson,	Yester,
Fiss,	Lovett,	Root,	Yetzer,
Flack,	Lyons,	Rose,	Young,
Fleming,	Madden,	Rowen,	Lichtenwalter,
For,	Madigan,	Royer,	Speaker.
	Mazza,		

NAYS—0

NOT VOTING—2

Trout,

Turner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1354, as follows:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley monibuses bicycles pedestains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' exempting motor vehicles of war amputees obtained through the Veterans Administration from the payment of registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Gov-

ernment (b) any state other than Pennsylvania which issues titles or registration to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army Legion Veterans of Foreign Wars or United Spanish War (k) duly chartered post or organization of the American Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions [but all] No fees shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Prost,	Mazza,	Sarraf,
Andrews,	McCosker,	McCormack,	Sax,
Bane,	Gallagher,	McCullough,	Scanlon,
Barrett,	Getchey,	McDonald,	Schuster,
Baumunk,	Gibson,	McKinney,	Scott,
Beech,	Goff,	McMillen,	Serrill,
Bender,	Goodling,	Mihm,	Shoemaker,
Bentzel,	Gorman,	Mikula,	Simons,
Bloom,	Graybill,	Miller,	Smith, C. C.,
Boles,	Greenwood,	Milis,	Smith, C. M.,
Bonawitz,	Greer,	Mintess,	Snider,
Boorse,	Griffiths,	Mohr,	Sollenberger,
Bower,	Guthrie,	Mooney,	Sorg,
Breich,	Gyger,	Moore, C. E.,	Sproul,
Brice,	Hall,	Moore, H. A.,	Stank,
Brown,	Haller,	Morrison,	Stimmel,
Brunner,	Haudenschild,	Murray,	Stockham,
Bucchin,	Helm,	Myers,	Stonier,
Cadwalader,	Henry,	Najaka,	Stuart,
Capano,	Hewitt,	Naumann,	Swope,
Cassidy,	Hocker,	Needham,	Tahl,
Chervenak,	Hoffman,	Neff,	Thomassy,
Chudoff,	Hoopes,	Nelson,	Thompson,
Clevenger,	Horan,	O'Connor,	Tittle,
Cole,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cook,	Johnson,	O'Neill,	Upshur,
Cooper,	Johnston,	Orban,	Vaughan,
Cordier,	Jones,	Patten,	Verona,
Costa,	Jump,	Petrosky,	Wachhaus,
Crowley,	Kean,	Pichney,	Wagner,
Dague,	Kelley,	Pickens,	Waldron,
Dalrymple,	Kemp,	Polaski,	Wallin,
Davison,	Kent,	Powers,	Walton,
De Long,	Kirley,	Price,	Waterhouse,
Demech,	Kline,	Propert,	Watkins,
Dennison,	Loh,	Ragot,	Watson,
Depuy,	Kratz,	Readinger,	Weidner,
Dix,	Krise,	Reagan,	Wells,
Dye,	Kurtz,	Reese, D. P.,	Wescott,
Efenberg,	Laughner,	Reese, R. E.,	West,
Elder,	Layer,	Reilly, J. M.,	Wheeler,

Erb,	Lee,	Relly, W. J.,	Wolf,
Evans,	Leisey,	Richter,	Wood,
Ewing,	Livingston,	Riley,	Worley,
Feola,	Livingstone,	Robbins,	Yeakel,
Fish,	Loftus,	Robertson,	Yester,
Fiss,	Lovett,	Root,	Yetzer,
Flack,	Lyons,	Rose,	Young,
Fleming,	Madden,	Rowen,	Lichtenwaller,
Foor,	Madigan,	Royer,	Speaker

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 96, as follows:

An Act to amend section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties repealing certain acts and parts of acts" changing the requirements relating to withdrawal of joint deposits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follow

Section 1 Section nine hundred three of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 903 Joint Deposits Death or Incompetency of One of the Parties A Whenever a deposit shall be made in an institution in the names of two or more persons the institution shall not pay out such deposit any part thereof or interest thereon except upon the proper check order or receipt as the case may be of both or all of

such persons unless at the time of making the deposit a different arrangement shall have been specifically provided for or unless at a subsequent time all the parties agree to a different arrangement or unless the parties were a husband and his wife and one of them is dead

B Whenever a deposit shall be made in an institution in the names of two or more persons and such deposit shall have been made under an arrangement with the institution whereby such deposit and any interest thereon may be paid upon the check order or receipt of either or any of such persons the institution may pay such deposit any part thereof or any interest thereon upon such check order or receipt of either or any of such persons pursuant to the arrangement provided for in this section notwithstanding the fact that one or more of the other persons may be dead and the institution has notice thereof or that one or more of the persons may have become incompetent unless such incompetency shall have been adjudicated by a court of competent jurisdiction and notice thereof in writing given to the institution

[C This section shall not be construed to effect deposits made in the names of a husband and his wife]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buechin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Feola,	Livingstone,	Riley,	Worley,
Fish,	Loftus,	Robbins,	Yeakel,
Fiss,	Lovett,	Robertson,	Yester,
Flack,	Lyons,	Root,	Yetzer,
Fleming,	Madden,	Rose,	Young,
Foor,	Madigan,	Rowen,	Lichtenwaller,
	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 169, Printer's No. 453 and

Senate Bill No. 170, Printer's No. 454

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Military Affairs of the Commonwealth shall select procure award and provide for the furnishing at request of the veteran of a service medal at cost to honorably discharged Army Navy Coast Guard and United States Marine Corps veterans of World War II who were residents of Pennsylvania at the time of their entry into the service Provided That such medals shall be given only for service covering any period of time between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five The detailed specifications and design shall be selected by the Department of Military Affairs

Section 2 The Adjutant General is charged with the administration of this act He shall prepare and furnish blanks and adopt rules and regulations for the issue of medals upon approved applications All applications papers and other records in the administration of this act shall become a part of the permanent records of the Department of Military Affairs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Milner,	Smith, C. C.,
Boies,	Greer,	M	Smith, C. M.,
Bonawitz,	Griffiths,	N	Snider,
Boorse,	Guthrie,	M.	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelschi,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Tahl,
Capano,	Hocker,	Naumann,	Stuart,
Cassidy,	Hoffman,	Needham,	Swope,

Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fliss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 189, as follows:

An Act to amend section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" authorizing minor spouses of minors to join in the execution of certain contracts and prohibiting the disaffirmance of such contracts on the grounds of minority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" is hereby amended to read as follows

Section 1 Any minor who is at least seventeen years of age and who is eligible for guaranty or insurance of a loan pursuant to the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented is hereby authorized and empowered notwithstanding such minority to enter into any contract

in this Commonwealth for any loan or loans guaranteed by the United States or any agency thereof in accordance with the provisions of [the] said act of Congress [known as the "Servicemen's Readjustment Act of 1944"] as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or any agency of the Commonwealth hereafter created and such minor is also authorized and empowered to execute and acknowledge all documents deeds mortgages and other or similar papers necessary and incident to such contracts The minor spouse of any such minor irrespective of age is hereby authorized and empowered notwithstanding such minority to join in the execution of any such contract In the event such a minor obtains such a loan or loans [he shall not] neither he nor his minor spouse despite any law or decision of any court to the contrary shall be permitted to avoid the contract of such loan or loans because of his age nor shall he be permitted to interpose the defense that he is a minor in any action or actions based upon such contract or contracts or arising out of any loan or loans authorized herein or shall the parent or parents or guardian or guardians or trustee or trustees of such minor be liable in any way whatsoever because of or on account of such contract or contracts or loan or loans which may be entered into by such minor pursuant hereto unless expressly a party thereto

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsich,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Hausenshield,	Morrison,	Stimmel,
Brunner,	Heim,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kan,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erh,	Lelsey,	Reilly, W. J.,	Wolf,

Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,

Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,

Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 240, as follows:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations on acts of corporations authorized to engage in the banking business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1014 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks, and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of act" is hereby amended to read as follows

Section 1014 Restriction on Ownership or Holding of Real Property by a Bank a Bank and Trust Company or a Trust Company [A] Except as otherwise provided in

this act a bank a bank and trust company or a trust company shall not purchase own or hold any real property except as follows

(1) Such real property as it occupies or intends to occupy pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property which it partly so occupies and partly leases pursuant to the provisions of this act

(2) Such as it shall purchase at sales under judgments decrees or mortgages held by it or as it shall otherwise acquire in good faith in satisfaction of debts previously contracted to it or in order to protect an interest it may otherwise have lawfully acquired in such property

[B A bank a bank and trust company or a trust company shall not own or hold any real property other than such real property as it occupies or intends to occupy for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property or five years after the effective date of this act but the department may upon application of a bank a bank and trust company or a trust company grant to it in writing the power to hold such real property for a longer period]

This section shall not be construed to prevent any bank bank and trust company or trust company from making improvements to properties owned but not occupied by the bank the bank and trust company or the trust company for the purposes of sale or lease

Section 2 Section 1017 of the said act as amended by the act approved the second day of January one thousand nine hundred and thirty-four (P. L. 1933 Special Session 128) is hereby further amended to read as follows

Section 1017 Protection against Loss on Previous Loan or Investment The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith from acquiring ownership of or otherwise taking and holding any kind of property or security whether real or personal [Except as otherwise provided by this act any] An itemized written schedule of all such property or security [so acquired unless] held which is not of the character and nature by this act authorized to be purchased or held by such bank [or] bank and trust company or trust company shall be [sold by it within five years but the department may upon application of a bank or bank and trust company grant to it in writing the power to hold such property for a longer period] reviewed at least once a year by the board of directors of such bank bank and trust company or trust company which board by affirmative vote of a majority of the members thereof recorded in its minutes shall determine which such property it is advisable to continue to retain

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith] C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,

Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Hebn,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Upshur,
Cook,	Jones,	Orban,	Vaughan,
Cooper,	Jump,	Patten,	Verona,
Cordier,	Kean,	Petrosky,	Wachhaus,
Costa,	Kelley,	Pichney,	Wagner,
Crowley,	Kemp,	Pickens,	Wadron,
Dague,	Kent,	Polaski,	Wallin,
Dairymple,	Kirley,	Powers,	Walton,
Davison,	Kline,	Price,	Waterhouse,
De Long,	Kohl,	Proper,	Watkins,
Demech,	Kratz,	Ragot,	Watson,
Dennison,	Krise,	Readinger,	Weidner,
Depuy,	Kurtz,	Reagan,	Weiss,
Dix,	Laughner,	Reese, D P.,	Wescott,
Dye,	Layer,	Reese, R E.,	West,
Efenberg,	Lee,	Reilly, J. M.,	Wheeler,
Elder,	Lelsey,	Reilly, W. J.,	Wolf,
Erb,	Livingston,	Richter,	Wood,
Evans,	Livingstone,	Riley,	Worley,
Ewing,	Loftus,	Robbins,	Yeakel,
Feola,	Lovett,	Robertson,	Yester,
Fish,	Lyons,	Root,	Yetzer,
Fiss,	Madden,	Rose,	Young,
Flack,	Madigan,	Rowen,	Lichtenwalter,
Fleming,	Mazza,	Royer,	Speaker.
Foor,	McCormack,	Sarraf,	
Frost,			

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 242, as follows:

An Act to further amend subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated incorporated associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties

and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 208) is hereby further amended to read as follows

Section 1109 Common Trust Funds

* * * *

B If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall limit or restrict the investment of moneys of the estate in assets of the class authorized by law as legal investments the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall authorize the investment of moneys of the estate in a common trust fund or in investments other than those designated by law as legal investments or shall authorize the trust company or bank and trust company either alone or in conjunction with any person acting with it in a fiduciary capacity to exercise its or their discretion with respect to the investment of moneys of the estate the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust company or bank and trust company pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund or in investments other than such legal investments or pursuant to such discretionary powers with respect to the investment of moneys of the estates as contained in any such instruments creating the fiduciary capacity may be composed of investments other than those of the class designated by law as legal investments for funds held by fiduciaries including common and preferred stocks

Bonds secured by mortgages and securities of the class authorized by law as legal investments for fiduciaries shall be deemed proper investments for any such com-

mon trust funds Provided however That no investment for a common trust fund shall be made or maintained in bonds secured by mortgages which would cause the total amount of the investment for such fund in bonds by mortgages to exceed forty per centum of the value of all the assets comprising such fund

No moneys of any one estate in excess of fifty thousand dollars shall be invested in any one or more of such common trust funds as may be maintained by a trust company or bank and trust company [if such investment would result in such estate having an interest in excess of ten per centum of the value of the assets of such common trust fund or funds or the sum of fifty thousand dollars whichever is less at the time of investment] In applying this limitation if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is presently payable or applicable to the use of the same person or persons such trusts shall be considered as one

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sproul,
Bane,	Getchey,	McCullough,	Sax,
Barrett,	Gibson,	McDonald,	Scanlon,
Baumunk,	Goff,	McKinney,	Schuster,
Beech,	Goodling,	McMillen,	Scott,
Bender,	Gorman,	Mihm,	Serrill,
Bentzel,	Graybill,	Mikula,	Shoemaker,
Bloom,	Greenwood,	Miller,	Simons,
Boies,	Greer,	Mills,	Smith, C. C.,
Bonawitz,	Griffiths,	Mintess,	Smith, C. M.,
Boorse,	Guthrie,	Mohr,	Snider,
Bower,	Gyger,	Mooney,	Sollenberger,
Breisch,	Hall,	Moore, C. E.,	Sorg,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kilne,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Wells,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Flsh,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout.

Turner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

Senate Bill No. 372, Printer's No. 230

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 373, as follows:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts pro-

thonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1412 Merger Consolidation or Conversion of Banks or Bank and Trust Companies into National Banks A One or more banks or bank and trust companies and one or more national banking associations operating under the laws of the United States may pursuant to the laws of the United States be merged into one of such national banking associations or consolidated into a new national banking association operating under the laws of the United States and a bank or bank and trust company may pursuant to the laws of the United States be converted into a national banking association provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section

(1) The plan of merger or consolidation or of conversion has been approved in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions by at least a majority of all the directors of any bank or bank and trust company participating in such plan and by the holders of two-thirds of its outstanding shares entitled to vote thereon

(2) In the case of any bank and trust company participating in such plan or merger or plan of consolidation or plan of conversion all corporations or persons who appear upon the available books or other records or who are otherwise known to be parties interested in any funds property or investments held by such bank and trust company as trustee guardian executor administrator or other fiduciary under the provisions of this act shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation of incorporated institutions

(3) Whenever a bank and trust company authorized to act as fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company with a national banking association or the conversion of such bank and trust company into a national banking association pursuant to the provisions of this act providing that such surviving or new national banking association is authorized to act as fiduciary in this Commonwealth but such surviving or new national banking association shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company could have acted if such merger consolidation or conversion had not been effected

(4) All taxes or fees due this Commonwealth or any of the departments or officials of the State government of this Commonwealth shall be paid in full For the purposes of this clause the taxes imposed by the laws of this Commonwealth on such bank or bank and trust company which have not yet become due that is the amount properly apportionable to the part of the tax period which has already elapsed shall be construed to become due upon the date of such merger consolidation or conversion

(5) The articles of merger or articles of consolidation or articles of conversion corresponding to the articles of merger or articles of consolidation required by this act in the case of the merger or consolidation of incorporated institutions shall be prepared by any bank or bank and trust company participating in the plan of merger consolidation or conversion and filed with the Department of State which shall transmit a copy to the Department of Banking The bank or bank and trust company shall also file with the Department of State the certificate of approval of the merger consolidation or conversion as the case may be by such officer of the United States as may be empowered by law to approve the same The Depart-

ment of State shall send a copy of such certificate to the Department of Banking

B No merger consolidation or conversion shall be effected pursuant to this section unless at the time of such merger consolidation or conversion the laws of the United States shall authorize a national banking association to merge into consolidate with or convert into a bank or a bank and trust company with all the property and rights of such national banking association vesting in such bank or bank and trust company in the same manner as is prescribed by this act in the merger consolidation or conversion of national banking associations into banks or bank and trust companies

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraff.
Andrews,	Gallagher,	McCusker,	Sax.
Bane,	Getchey,	McCullough,	Scanlon.
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Benzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith C M.,
Bonawitz,	Griffiths,	M'ntes.,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchlin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Neison,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Keane,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Wells,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 491, Printer's No. 231,

Senate Bill No. 493, Printer's No. 375 and

Senate Bill No. 533, Printer's No. 397

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 556, as follows:

An Act to further amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers in a banking business and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for authorized investments and limitations upon loans and discounts of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eight of subsection A of section one thousand two hundred eight and section one thousand two hundred nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-five (P. L. 284) are hereby further amended to read as follows

Section 1208 Authorizing Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a savings bank other than a savings bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * * *

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the investment It shall be lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgages The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except a Federal Reserve Bank or purchase or invest in bonds secured by mortgages upon real property except bonds secured by mortgages which are first liens upon unencumbered improved real property including improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within such twenty year term and bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administration pursuant to the provisions of the National Housing Act of one thousand nine hundred and thirty-four approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire to the benefit of the savings bank by the mortgagor during the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the savings bank making the purchase or investment It shall be

lawful for a savings bank to renew such policies at the expense of such mortgagor from year to year or for a longer or shorter period not however exceeding the term of the bond in case the mortgagor shall fail to do so

B All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor In the event that the mortgagor shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so mortgaged All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such mortgagor The actual value of the real property shall be determined by two reputable persons especially familiar with real property values in the vicinity of the particular property to be appraised selected from or approved by the board of trustees They shall inspect the property and shall state in writing that the actual value of the real property inspected to the best of their judgment is as stated Such report shall be filed and preserved among the records of the savings bank The restrictions contained in this section with reference to real estate bonds shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such bonds may be secured in whole or in part by a mortgage upon real property

Section 2 Section one thousand two hundred ten of said act as amended by the act approved the twenty-first day of February one thousand nine hundred forty-five (P. L. 7) is hereby further amended to read as follows

Section 1210 Limitation Upon Loans and Discounts A A savings bank shall not grant any loan except for a period not exceeding ninety days and except on the collateral of such securities as are by this act authorized as investments for savings banks The amount of such loan shall not exceed ninety per centum of the cash market value of such collateral If any of the securities so held as collateral depreciate in value before the repayment of such loan the savings bank shall forthwith require the immediate repayment of such loan or of part thereof or the immediate furnishing of additional security so that the amount of the loan shall at no time exceed ninety per centum of the cash market value of the securities held as collateral for it

B A savings bank shall not discount any note bill of exchange draft or other commercial paper except in the case of any note payable within ninety days and secured in accordance with the provisions of this section provided that the maker of such note is the borrower and the payee is the savings bank

C The limitations imposed by this section shall not apply to loans on the security of bonds secured by mortgages upon a dwelling for not more than four families and improved farm land situated within the Commonwealth or within fifty miles of the boundary thereof made or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That each such loan is guaranteed in an amount equal to at least twenty per centum of the value of the property subject to the lien and loans on the security of bonds secured by mortgages upon business property situated within the Commonwealth or within fifty miles of the boundary thereof if such loans are guaranteed in whole or in part or if there is a written commitment to so guarantee in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such business property nor shall any limitations imposed by this section apply to secondary loans not in excess of five hundred dollars fully guaranteed in accordance with the pro-

visions of section five hundred five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.
Boles,	Greer,	Mills,	Smith, C. M.
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelschi,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Heim,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	inomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Keane,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Westcott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Roi,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For.	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout. Turner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 570, as follows:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II Class III dry cleaning and dyeing plants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" as last amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 486) are hereby further amended to read as follows

Section 1 Be it enacted &c That no person copartnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purpose of this act "Class I dry cleaning and dyeing plants" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable liquid or product having a flash point of less than [one hundred forty] 138.2 degrees Fahrenheit closed cup tester "Class II dry cleaning and dyeing plants" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable liquid having a flash point of 138.2 degrees Fahrenheit or above (closed cup tester) and "Class III dry cleaning and dyeing plants" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of synthetics and other types of solvents which are not covered in Class I and Class II plants and do not contain flash point ingredients Class III or synthetic plants shall be of mill or slow burning construction in all other respects they shall comply with the provisions of sections two to five inclusive of this act except that steam fire extinguishment pipes will not be required for the rooms washers or tumblers Sections two to five inclusive of the act hereby amended shall apply to "Class I and Class II and Class III dry cleaning and dyeing plants"

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any dry cleaning dyeing tumbler drying or distilling room or in line of vapor travel therefrom

Heating of such buildings shall be by steam or hot water system or equivalent in safety

All electric wiring and equipment including motors shall conform to the regulations of Department of Labor and Industry

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to settling or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks Provided That nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of [volatile] inflammable fluid shall be used in any one container and shall be so used in metallic pan or container and such [volatile] inflammable liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for [volatile] inflammable liquids shall conform to the regulations of the Department of Labor

and Industry and no such tank shall be installed without approval from said department

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when separate rooms of less than two hundred square feet of floor space are maintained one extinguisher for each room

As a means of fire extinguishment in any dry cleaning dyeing tumbler and drying rooms the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling. In these pipes there shall be not less than two openings all of which shall point toward the ceiling. The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute. An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms and shall be accessible for operation in case of fire. Such fire protection system shall be extended and connected to washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines. An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system.

Section 6 [Nothing contained in the preceding sections of this act shall be construed to apply to any dry cleaning or dry dyeing plants or systems exclusively using a petroleum solvent having a flash point of 140 degrees Fahrenheit or above (closed cup tester) which are completely equipped in the process of manufacture and employ only closed containers.] Class II dry cleaning and dry dyeing plants using a petroleum solvent having a flash point of 138.2 degrees Fahrenheit or above (closed cup tester) shall use equipment approved by the Department of Labor and Industry for solvents with a flash point of 138.2 degrees Fahrenheit or above and shall comply with the following requirements:

Flash point (closed cup) ... Not lower than 59.0 degrees Centigrade (138.2 degrees Fahrenheit)
Initial boiling point ... Not lower than 181.0 degrees Centigrade (357.8 degrees Fahrenheit)
Ignition temperature Not lower than 234.0 degrees Centigrade (453.2 degrees Fahrenheit)
Power limit of explosive range Not less than 0.8 per cent by volume in air at an initial temperature of 150.0 degrees Centigrade (302 degrees Fahrenheit)
Spontaneous heating The cleaning solvent shall not heat spontaneously

Plans for approval for Class I II and synthetic type of dry cleaning and drying dyeing establishments shall be submitted to the Department of Labor and Industry for approval before beginning the erection adoption or alteration of any such building. Such building shall not be over one story in height and no part of the dry cleaning building shall be used for any other occupancy. A fee of five dollars (\$5) shall be charged for the examination of plans. Provided That such plants and systems shall conform in all other respects to the regulations of the Department of Labor and Industry for safeguarding employees in dry cleaning and [dry] dyeing [plants] establishments.

The Department of Labor and Industry shall have the power and its duty shall be to make alter amend and repeal rules and regulations for carrying into effect all the provisions of this act and applying such provisions to specific conditions.

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarrafi,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Sax,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Gooding,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore H. A.	Stank,
Brown,	Haudensfield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Widner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" is hereby amended to read as follows

Section 1 Be it enacted &c That where cash shall be needed for the immediate requirements of the city in any year in advance of the receipt of income the mayor and the city controller of cities of the second class shall have power to negotiate on behalf of the city temporary loans upon notes for periods not to extend beyond such year and in aggregate amount not to exceed ten per centum of the estimated receipts for such current year other than loan funds but at the time of issuing said loans provision must be made to repay the same out of the income of the same year in which they are negotiated the intention of this act being that the negotiation of said loans shall be solely for the purpose of anticipating receipt of income Provided however That if through emergency it shall become necessary [for the council to obtain additional appropriating power] it shall be lawful for the council to authorize the creation of one or more emergency loans not exceeding in the aggregate seven hundred and fifty thousand dollars (\$750,000) at any one time which unless paid within the year in which they were created shall be included by the city controller in his estimate of liabilities which must be [met] paid out of the cash receipts of the ensuing fiscal year [before ordinary appropriations may be made therefrom] within the first thirty days after the beginning of such fiscal year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C C.,
Boies,	Greer,	Mills,	Smith, C M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C E.,	Sproul,
Brice,	Haller,	Moore, H A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hucker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Probert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,

Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,

Krise,
Kurtz,
Laughner,
Layer,
Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,

Readinger,
Reagan,
Reese, D P.,
Reese, R E.,
Reilly, J M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Weldner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of levators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as amended and reenacted by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 277) are hereby further amended to read as follows

Section 10 Fees for Inspection The fee for the certificate of operation for all insured and uninsured elevators shall be [one dollar] two dollars (\$2) When elevators are inspected by inspectors of the department the following fees shall be charged in addition to the certificate fee For passenger elevators not exceeding [twelve] eighteen dollars (\$28) per annum

For freight elevators including gravity elevators fees not exceeding [six] nine dollars (\$9) dollars pe rannum For dumb-waiters hoists and other lifting apparatus fees not exceeding [three] four dollars and fifty cents (04.50) per annum

For building hoists fees not exceeding [three] four dollars and fifty cents (\$4.50) for each inspection

Section 11 Approval of Plans Before any elevator shall be erected and installed or undergo repairs amounting to one-half or more of the original value of the said elevator detailed plans and specifications of the said apparatus in duplicate shall be submitted to the department for approval The application for the approval of plans of

elevators shall be accompanied by the following fees Dumb-waiters [five] seven dollars and fifty cents (\$7.50) freight elevators [seven] ten dollars [and fifty cents] (\$10) and passenger elevators [ten] fifteen dollars (\$15) If the said plans are approved a permit for the erection or repair of such elevator shall be issued by the department and a final inspection shall be made of the apparatus when in stalled or repairs completed before final approval shall be given by the department The elevator shall not be operated until such final inspection and approval be given unless a temporary permit be granted by the Department

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buechin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Pollaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Elgot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakei,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate. with information that the House of Representatives has passed the same without amendment.

Agreeably to order.

The House proceeded to the third reading and consideration of Senate Bill No. 635, as follows:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 912) is hereby further amended to read as follows

Section 11 Fees for Inspection and Certificate The fee for the certificate of operation for all insured and uninsured boilers shall be [one dollar] two dollars When boilers are inspected by inspectors of the department the following fee shall be charged in addition to the certificate fee

For the internal and external inspection while not under pressure of a boiler having a grate area of not more than ten square feet the fee shall be [five dollars] seven dollars and fifty cents For the internal and external inspection of a boiler while not under pressure having a grate area of more than ten square feet the fee shall be [five dollars] seven dollars and fifty cents and in addition ten cents for every square foot of grate area in excess of ten square feet

For the external inspection of a boiler while under operating conditions the fee shall be [two dollars and fifty cents] three dollars and seventy-five cents

For the inspection of a miniature boiler the fee shall be [two dollars] three dollars

For a hydrostatic test of any boiler a fee of [five dollars] seven dollars and fifty cents shall be charged in addition to the inspection fees hereinbefore provided for

For unfired pressure vessels the fee for an external inspection shall be [two dollars] three dollars

For the internal inspection of an unfired pressure vessel having a superficial area of not more than forty square feet the fee shall be [two dollars and fifty cents] three dollars and seventy-five cents

For the internal inspection of an unfired pressure vessel having a superficial area of more than forty square feet the fee shall be [two] [dollars and fifty cents] three dollars and seventy-five cents and in addition [five] seven and one-half cents for every square foot of superficial area in excess of forty square feet not to exceed a maximum fee of [fifteen dollars] twenty-two dollars and fifty cents

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchlin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervanak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Pichney,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fisa,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 664, as follows:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 630) is hereby further amended to read as follows

Article XII

General Rules

The following general rules shall be observed in every mine to which this act applies

* * * * *

Rule 12 The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure and a report of said examination shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and countersigned within a period of one week by the mine foreman All such reports shall be made and signed at the end of each shift Providing however If the mine is idle forty-eight (48) hours or more the mine foreman or his assistant shall examine every working place the day before operations are resumed and all such entries shall be made and signed in ink in a manner similar to that heretofore described

Section 2 Rule 13 of Article XII of said act is hereby amended to read as follows

Rule 13 The mine foreman or some other competent person or persons to be designated by him shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering and see that they are in safe and efficient working condition and a report of said examinations shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and counter-signed by the mine foreman The book in which all such reports that are required to be made and recorded by this act and by Rule 5 of the act of June 2 1891 (P. L. 176) of this act shall be securely bound and the manner and form in which the results of each examination shall be recorded shall be in accordance with a form furnished by the Department of Mines

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Andrews,	Frost,	McCormack,	Sarra,
Aaronson,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,

Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 667, as follows:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2551 Tax Levies The council of each city may by ordinance levy and provide for the collection of the following taxes

1 A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2 A tax in addition to the above [not exceeding ten mills on the dollar upon the assessed valuation in any one year] on all persons and property taxable for county

purposes for the payment of interest on bonded indebtedness and for sinking fund requirements [and] for the payment of loans [to support the government and to make necessary improvements in the city]

3 A poll-tax for general revenue purposes not exceeding [one dollar] five dollars annually on all inhabitants above the age of twenty-one years Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCosker,	Sarra,
Andrews,	Gallagher,	McCullough,	Sax,
Bane,	Getchey,	McCormack,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Kohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	Wheeler,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate.

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 682, as follows:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Article XI

Special Rules for the Installation of Electricity and for the maintenance of electrical equipment.

It shall be the duty of the mine foreman and superintendent to see that the following rules for the installation of electricity and the installation and maintenance of electrical equipment are observed after the passage of this amendment

* * * * *

Section Six

Electric Locomotives

Trolley System and Open Type Electric Machines

77 Electric haulage by locomotives operated from a trolley wire is not permissible in any gaseous portion of a mine a gaseous portion of a mine as used herein being all the workings and roadways traversed by the locomotive and ventilated by the same continuous air current and in which portion explosive gas has been generated in sufficient quantity to be detected by an approved safety lamp within a period of two years except when the portion in which the locomotive operates is free of accumulated explosive gas and the highest methane content of the aircurrent in which the locomotive operates is not in excess of five tenths of one per cent and except where the air-current is so guided and directed that the opening or closing of a door will not interrupt or seriously diminish the air flow passing into and through the portion of the mine in which the locomotive operates

Moreover it shall be unlawful in any gaseous portion of a mine as defined in this rule to run or operate a locomotive fed directly or indirectly from a trolley wire by the open entrances to worked out places wherein the pillars have been drawn or places in which the pillars have not been drawn but in which places the roof has collapsed unless such places are constantly and thoroughly ventilated and examined as frequently for explosive gas as active working places are examined

[Commencing one year after the passage of this amendment no] No open type electric locomotive or open type electric machine of whatsoever name shall be taken into

a working place or places in a gaseous portion of a mine as defined in this rule [Provided however That the time may be extended with the written consent of the Secretary of Mines] Main return airways [or passageways] shall not be used as haulageways for electric locomotives operated from a trolley wire in gaseous mines Provided however That if at any time after the effective date of this amendment a mine or a part of a mine classed as non-gaseous should be declared gaseous under the provisions of this act the operator of such mine shall within a period not to exceed six (6) months discontinue the use of open type electric locomotive or open type electric machines of any kind in a working place or places in such gaseous mine or portion thereof Upon written request from the operator of any such mine the Secretary of Mines after investigation shall have authority to grant an additional six (6) months period to such operator to discontinue the use of such locomotives or machines

All such non-gaseous mines which may be declared gaseous under the provisions of this act shall within a period not to exceed thirty(30) days otherwise comply with all the provisions of this act as amended relating to the employment of fire boses shot-frirs approved safety lamps and the use of explosives

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time; considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarrat,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Myers,	Sproul,
Brice,	Haller,	Moore, C. E.,	Stank,
Brown,	Haudenschild,	Moore, H. A.,	Stimmel,
Brunner,	Helm,	Morrison,	Stockham,
Bucchin,	Henry,	Murray,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cock,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,

Fish,	Lovett,	Robertson,	Yester.
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 683, as follows:

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" applying certain regulations to mines employing fewer than five persons and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the second day of January one thousand nine hundred thirty-four (1933-1934 P. L. 208) is hereby further amended to read as follows

Section 3 The provisions of this act shall not apply to any mine where [less] fewer than five persons are employed or engaged in work inside the mine in any one period of twenty-four hours but any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards and by regulations promulgated by the Secretary of Mines he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably and practically applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a mine in which from two to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars (\$50) and costs of

prosecution and be imprisoned for a period of thirty (30) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Gooding,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stuart,
Bucchin,	Henry,	Myers,	Swope,
Cadwalader,	Hewitt,	Najaka,	Stockham,
Capano,	Hocker,	Naumann,	Stonier,
Cassidy,	Hoffman,	Needham,	Taht,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 696, Printer's No. 332

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 720, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

On the question,

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 2, by striking out lines 12 to 14, inclusive, and inserting in lieu thereof the following: "Section 41. The provisions of this act shall become effective the first day of July one thousand nine hundred [forty-seven] forty-nine."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 726, as follows:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows' and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and

review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the courts of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 10 The executors or administrators of every decedent shall immediately after the granting of letters testamentary or of administration to them cause notice thereof to be given in one newspaper published at or near the place where such decedent resided and in the legal periodical if any designated by rule of court for the publication of legal notices once a week [during at least six] for three successive weeks together with their names and places of residence and in every such notice they shall request all persons having claims or demands against the estate of the said decedent to make known the same and all persons indebted to the said decedent to make payment to them without delay

Section 2 In each county the present law as to advertising the granting of letters testamentary or of administration shall remain in effect until the orphans' court shall by general rule prescribe otherwise

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsich,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimme,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Devison,	Kirley,	Powers,	Walton,
De Long,	Kilne,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weldner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foot,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 738, as follows:

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registra-

tion of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated town townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as reenacted and amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 212 Application for Title by Agent

* * * * *

(c) No person shall receive or hold a certificate of title recorded in the name of another person for such other person who is not in the regular employ of or not a member of the family of such other person unless the person receiving obtaining or holding the certificate of title has a valid undischarged encumbrance recorded in the department against the vehicle represented by such certificate of title Provided That nothing in this section shall prevent the issuance of a duplicate certificate of title to any owner whose original certificate of title is being held by an employee or member of the family of the owner without the permission of such owner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,

Bentzel,	Graybill,	Mikula,	Simons.
Bloom,	Greenwood,	Miller,	Smith, C. C.
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider.
Boorse,	Guthrie,	Mohr,	Sollenberger
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope.
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona.
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Pickens,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley.
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fias,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout. Turner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 741, as follows:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended to read as follows

Article VII

Department of City Treasurer

* * * * *

The treasurer shall keep the accounts arising from the several sources of revenue and income separate and distinct from one another and shall make daily deposits of

all moneys received by him in such banks or institutions as may be designated by councils and shall make specific reports daily to the controller of all receipts and deposits and of all moneys withdrawn from the treasury and shall present and verify his cash account in such manner and as often as may be required All depositories of city funds or other funds for which such city or any officer or employe thereof shall act as custodian or trustee wherein the legal or equitable title in such funds shall belong to persons copartnerships corporations or the Federal or State government or any agency or subdivision thereof other than such city shall upon the receipt of notice of their selection as depositories of city or other funds furnish a bond to secure payment of deposits and interest to the city with a proper warrant of attorney to confess judgment in favor of the city secured by a surety company or individual sureties to be approved by the Court of Common Pleas Such bonds shall in all cases be in the amount of the deposit to be made If a corporate bond is given on one surety company shall be approved in an aggregate amount in excess of five times the capital surplus and reserve Whenever individual sureties are presented for approval they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit No one person may qualify for more than one-fourth of the total amount of the bond required Provided That in lieu of surety bonds of surety companies or of individual sureties the deposit of city or other moneys may be secured by the deposit with the city treasurer of bonds of the United States or of any county municipality or municipal district of the Commonwealth equal to the deposit so secured and twenty per centum in addition thereto Said bonds shall be accompanied by a proper assignment or power of attorney to transfer the same and any such deposit of securities shall be maintained to the full amount required in case of any depreciation in value thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon.
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Gondling,	McMillen,	Serrill.
Bender,	Corman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons.
Bloom,	Miller,	Smith, C. C.,	
Boies,	Mills,	Smith, C. M.,	
Bonawitz,	Mintess,	Snider,	
Boorse,	Mohr,	Sollenberger,	
Bower,	Mooney,	Sorg,	
Brelsch,	Gyger,	Sproul,	
Brice,	Hall,	Moore, C. E.,	
Brown,	Haller,	Moore, H. A.,	
Brunner,	Haudenshield,	Morrison,	
Bucchin,	Helm,	Murray,	
Cadwalader,	Henry,	Myers,	
Capano,	Hewitt,	Najaka,	
Cassidy,	Hocker,	Naumann,	
Chervenak,	Hoffman,	Needham,	
Chudoff,	Hoopes,	Neff,	
Clevenger,	Horan,	Nelson,	
Cochran,	Imbt,	O'Connor,	
Cole,	Jennings,	O'Dare,	
Cook,	Johnson,	O'Donnell,	
Cooper,	Johnston,	O'Neill,	
Cordier,	Jones,	Orban,	
Costa,	Jump,	Patten,	
Crowley,	Kean,	Petrosky,	
	Kelley,	Pichney,	

Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kilne,	Price,	Waterhouse.
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter.
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk returns the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 760, as follows:

An Act to further amend section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven eight hundred two and eight hundred seven and to amend subsections (b) and (d) of section three Article II sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by further regulating and improving the civil service of certain departments and agencies of the Commonwealth and repealing an existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five subsection (2) of section two hundred six and sections five hundred one five hundred two five hundred seven eight hundred two and eight hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments

or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" as last amended by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1366) are hereby further amended to read as follows

Section 205 Qualifications Appointment Compensation and Removal of Director

(a) The director [shall be in the classified service He] shall be a person who [by examination,] shows he is familiar with the principles and methods of personnel administration and one who is in sympathy with the application of merit principles and scientific methods to public employment He shall receive an annual salary fixed by the commission with the approval of the Governor and shall hold no other public position of profit

[(c)] (b) Within ninety days after it is appointed and thereafter within ninety days after a vacancy occurs the commission shall hold a competitive examination in accordance with the provisions of this act and on the basis of that examination shall establish an employment list of persons found eligible for appointment as director The commission shall appoint one of the three highest ranking eligibles as the director The commission shall have the same powers and duties with respect to the conduct of the examination establishment of the employment list and making an appointment therefrom that are vested in or imposed upon the director under the provisions of this act with respect to other positions in the classified service

[(c)] (b) The director shall not be removed except for incompetence inefficiency neglect of duty malfeasance or misfeasance in office [The commission shall furnish to the director written notice of his intended removal setting forth the reasons for such action and shall file a copy of such written notice with the Governor The director shall have ten days from the receipt of such written notice to give the commission such written answer as he may desire and shall file a copy of such written answer if any with the Governor Such notice and answer shall be made a part of the public records of the commission and of the Governor Within thirty days after receipt of such notice of removal and answer thereto the Governor shall make an investigation for the purpose of fairly determining whether the director shall continue in his position or should be removed therefrom Within twenty days after the completion of such investigation or sooner if practicable the Governor shall make his findings and conclusions which shall be forthwith certified to and enforced by the commission The Governor's findings and conclusions shall constitute a part of the public records of the commission and of the Governor]

Section 206 Powers and Duties of Director The Director except as otherwise provided in this act shall direct and supervise all the administrative work He shall have power and it shall be his duty under the direction and supervision of the commission

* * * * *

(2) To attend the meetings of the commission [act as its Secretary and record its official actions]

* * * * *

Section 501 Examinations Requisite for Appointment and Promotion (a) Except as otherwise provided in this act appointments of persons entering the classified service or promoted therein shall be from eligible lists established as the results of examinations given by the director to determine the relative merit of candidates Such examinations may be written and shall be competitive and open to all persons who may be lawfully appointed to positions within the classes for which the examinations are held Persons applying for positions or promotions in the offices designated as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year before making application and persons applying for positions or promotions in offices designated

as district offices (which shall include all those whose jurisdiction is limited to a particular district) shall be citizens of the United States and shall have been legal residents of the Commonwealth for a period of not less than one year and in the district in which such office having jurisdiction thereof is located for a period of not less than six months before making application. The director shall prepare the proper State and district employment and promotion eligible lists when necessary. Provided That after an examination has been conducted for any class of position if there is no person with such legal residence in any administrative district remaining on the register the director may certify and the appointing authority may make the appointment or promotion from the names of persons on an appropriate eligible list for the same class of positions of other administrative districts. [Any person who has passed the examination may be placed on the employment list for offices designated as district offices if such person indicates his desire for employment in such office. The appointing authority for that office may at its discretion refuse to consider such a person for appointment if he does not have legal residence in that district and may request that the director certify only persons having legal residence in that district. Provided however That the option of refusing consideration to persons not having legal residence in the district is automatically voided at any time that the employment list does not contain the names of persons having legal residence in the district.] Limitations as to age sex health moral character experience and other qualifications may be specified in the rules of the commission and in the announcements of the examinations. All applications for positions in the classified service shall be under oath. As far as is in the judgment of the commission consistent with the best interest of the Commonwealth vacancies shall be filled by promotion. The commission may limit competition in promotion examinations to employees in the classified service who have completed their probationary period in a class or classes designated in the public notice of the examinations and may permit promotions to be accomplished by any one of the three following plans (1) by appointment from open competitive lists or (2) by appointment without examination if the person has completed his probationary period in the next lower position and if he meets the minimum requirements for the higher position or (3) by achieving a place on an eligible list after a promotional examination such examination having been given at the request of the appointing authority.

Section 502 Nature of Examinations. The director shall give examinations to establish employment and promotion lists. The tests in such examination may be written and may also include oral tests or a demonstration of skill or a combination of these which shall fairly appraise and determine the merit qualifications fitness and ability of competitors. Such tests shall be practical in character and shall relate to the duties and responsibilities of the position for which the applicant is being examined and shall fairly test the relative capacity and fitness of persons examined to perform the duties of the class of positions to which they seek to be appointed or promoted but no applicant shall be required to be possessed of any scholastic education in order to be permitted to take any competitive examination or to be appointed or promoted to any position. No greater credit for experience gained during a provisional emergency or temporary appointment under this act or acts repealed hereby shall be given to any person in any examination than is given in such examination for experience in the same type of work performed in a similar position not under the provisions of this act or acts repealed hereby. In evaluating experience in order to compute the final rating in any examination to establish employment and promotion lists persons other than dishonorably discharged after active service during any war in which the United States engaged from any branch of the armed service of the United States or from any women's uniformed service directly connected therewith shall not be given less credit for experience than

would be given for continued experience in the position held at the time of induction in the service. No question in any examination shall relate to the race religion or political or labor union affiliation of the candidate.

Section 507 Duration of Employment and Promotion Lists. All existing employment and promotion lists are hereby cancelled provided however that the right of return to employment by employees on leave of absence or furlough shall be preserved hereafter. Appointing authorities shall utilize employment and promotion lists from the date of their establishment until exhausted cancelled by the commission or replaced by more recently prepared lists. [Provided That when] When an appointing authority deems it to be in the best interests of the Commonwealth the commission shall cancel such lists if two years or more have elapsed since a competitive examination was held. The director with the approval of the commission may at any time correct clerical errors occurring in connection with the preparation of any employment or promotion list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action. Any persons whose announced rating or position on the list is changed by correcting any clerical errors shall be notified. The commission shall have the power at any time after giving notice as required in this act and after a public hearing to cancel the whole or any part of any employment or promotion list on account of illegality or fraud in connection therewith.

Section 802 Furlough. In case a reduction in force is necessary in the classified service no employee shall be furloughed while any probationary or provisional employee is employed in the same classification and no probationary employee shall be furloughed while a provisional employee is employed in the same classification. An employee shall be furloughed only if at the time he is furloughed he is within the lowest quarter among all employees of the employer in the same classification on the basis of their last regular service ratings and within this quarter he shall be furloughed in the order of seniority. Provided That the appointing authority may limit the application of this provision in any particular instance to employees in the same classification with headquarters at a particular municipality county or administrative district of the Commonwealth.

A furloughed employee shall have the right of return to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency provided that in both instances there is a vacancy with the same appointing authority. The appointing authority shall promptly report to the director the names of employees furloughed together with the date the furlough of each is effective and the character of his services. Under the rules a permanent employee furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employee such preference shall not be effective if it necessitates furloughing such other employee.

Section 807 Removal. (a) No person in the classified service shall be removed except for just cause which shall not be his race religion or political partisan or labor union affiliation. To all persons in the classified service except provisional temporary and emergency employees or probationary employees [who have served longer than two months] written notice of removal setting forth the reasons for such action and effective date thereof must be furnished. They shall have ten days from the receipt of such written notice to give the appointing authority such written answer as the person removed may desire. In

every case of removal a copy of the statement of reasons therefor with the full written answer thereto if any shall be furnished to the commission by the appointing authority within ten days from the receipt of the written answer and shall be made a part of the public records of the commission. Within thirty days after receipt of such notice of removal from an appointing authority the commission upon the request of the appointing authority or of the removed employee or upon its own behalf shall initiate an investigation which shall include a public hearing. Such investigation and hearing may be conducted by the commission or by anyone designated by the commission. The investigation and hearing shall be for the purpose of fairly determining whether the employee involved merits continuance in his position or should be removed therefrom or otherwise disciplined for the good of the service. At the hearing the commission or those acting for the commission shall not be required to follow technical rules of evidence or court procedure but shall diligently seek all of the evidence and information bearing on the merits of the case. Where an investigation is conducted at the request of the removed employee the commission within ten days after the completion of such investigation and hearing or sooner if practicable shall make its findings and conclusions which shall be forthwith certified to the appointing authority. If the commission finds that the action complained of was taken by the appointing authority for any political partisan religious or racial reason or because of labor union affiliation the employee shall be reinstated to his position without loss of pay. In all other cases the final decision shall not be reviewable by any court but if such final decision is in favor of the employee the appointing authority shall reinstate him with the payment of so much of the salary or wages lost by him as the commission may in its discretion order. The commission may in its discretion upon request of an appointing authority order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate eligible list or that he be transferred or reinstated to his former or a lower position provided that he meets the minimum qualification for the position and provided that such action is taken not later than thirty days after the appointing authority has [certified his decision] made its request to the commission.

(b) Charges against any employee in the classified service asking for his removal for a violation of law or for any cause enumerated in the rules may be filed by any citizen or taxpayer with the appropriate appointing authority and with the director. Charges so filed shall at the discretion of the commission be recorded in its minutes be investigated and determined in the manner provided in this section.

(c) Notwithstanding the provisions of this act the Governor may upon recommendation of the appointing authority suspend or remove the director and any employee if he deems such action to the best interests of the public service.

(d) Demoted or furloughed employees shall have such rights of notice and hearing similar to those provided under this section for removed employees as shall be prescribed in the rules of the commission.

Section 2 Article II of said act is hereby amended to read as follows

Article II

Civil Service Commission and [Personnel] Executive Director and Their Powers

Section 3 Subsection (b) of section three and sections three hundred one four hundred one six hundred three six hundred four six hundred six six hundred seven seven hundred one seven hundred four eight hundred four eight hundred six and nine hundred four of said act are hereby amended to read as follows

Section 3 Definition of Terms In this act unless the context otherwise clearly requires

(b) "Director" means the [Personnel] Executive Director

(d) "Unclassified service" means all positions now existing or hereafter created in the service of the Commonwealth which are held by

(1) Heads of departments of the Commonwealth. The first deputy heads thereof the executive director of the state civil service commission and the person appointed to administer the federal-state employment service and the unemployment compensation work of the Department of Labor and Industry

Section 301 Establishment of Classes. The director shall [within ninety days] as soon as practicable after taking office and after consultation with the Executive Board of of Commonwealth State appointing authorities and principal supervising officials classify all of the positions in the classified service according to the duties and responsibilities of each position. The plan of classification shall designate appropriate titles for each class of position and shall recommend to the commission the qualifications to be required of persons assigned or appointed to positions in each class. The completed classification plan shall be so arranged that all positions which are substantially similar with respect to authority responsibility and character of work are included within the same class that the same tests of competency may be applied to persons to be appointed to all positions in a class and that the same schedule of compensation can be made to apply with fairness under like working conditions to all positions in a class. The statement which shall be known and described as "The Classification Plan" shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by descriptions of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities

(d) As far as practicable the lines of promotion to and from the class

The director shall present such classification plan to the commission. The commission after adopting such classification plan either as presented or in modified form shall publish the classification plan.

Section 401 Compensation Schedules. For each class established under this act the director shall make a study of the rates paid for similar services elsewhere and of other information pertaining to proper rates of compensation and after consultation with state appointing authorities and their principal assistants [and approved by the commission shall report] shall present to the commission which shall submit to the Executive Board of the Commonwealth for its approval modification or rejection a schedule of compensation for each class. Such schedules shall show for each class a minimum salary rate a maximum salary rate and such intermediate rate or rates as the director considers necessary and proper [Subject to the approval of the commission the]. The director may from time to time recommend to the commission which shall submit to the Executive Board of the Commonwealth for its approval modification or rejection changes in the schedule of compensation for any class together with the reasons therefor. Pending the adoption of such compensation schedules and the appropriation of funds to make payments for personal services in accordance therewith the compensation of employees in the classified service shall be in accordance with the existing law.

Section 603 Probationary Period (a) No appointment to a position in the classified service shall be deemed complete until after the expiration of a probationary period. The probationary period for each class of position shall be prescribed in the rules of the commission and shall in no case be less than three months or more than nine months

At such times during the probationary period and in such manner as the director may require the appointing authority shall report to the director his observation of the work of the employe and his judgment as to the willingness and ability of the employe to perform his duties satisfactorily and as to his dependability. At any time during his probationary period [after the first two months thereof] the appointing authority may remove an employe if in the opinion of the appointing authority the probation indicates that such employe is unable or unwilling to perform his duties satisfactorily or that his dependability does not merit his continuance in the service. Upon such removal the appointing authority shall forthwith report his action to the director and to the employe so removed. No more than three employes shall be removed successively from the same position during their probationary periods without the approval of the director. [The appointing authority may remove an employe within the first two months of his probationary period only with the approval of the director.] The director with the approval of the commission shall remove an employe during his probationary period if it is found after the employe has been given notice and an opportunity to be heard that he was appointed as a result of fraud.

(b) Ten days prior to the expiration of an employe's probationary period the appointing authority shall notify the director in writing whether the services of the employe have been satisfactory. A copy of such notice shall be given to the employe. If the employe's work has been satisfactory he shall at the completion of his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided.

(c) If any employe is removed from his position during or at the end of his probationary period and the director determines that he is suitable for appointment to another position his name may be restored to the list from which it was certified.

Section 604 Provisional Appointments Whenever there is great and urgent public need for filling a vacancy in any position in the classified service and the director is unable to certify an eligible for the vacancy he may authorize the filling of the vacancy by provisional appointment. If he does authorize such appointment he shall certify not more than three qualified persons with or without examination and the appointing authority shall appoint one of the persons so certified. A provisional appointment shall continue only until an appropriate eligible list can be established and certification made therefrom but in no event for more than ninety days in any twelve-month period except that during the first year after the [effective date of this act] repeal of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) provisional appointments may continue until appropriate eligible lists can be established and a person may serve in the classified service under provisional appointment until appropriate eligible lists can be established and certification made therefrom. Successive provisional appointments of the same or different persons shall not be made to the same position. The acceptance of a provisional appointment shall not confer upon the appointee any rights of permanent tenure transfer promotion or reinstatement.

Section 606 Emergency Appointments Any appointing authority or any subordinate authorized by him may to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding [ten] thirty days and may with the approval of the commission be extended for a further period not to exceed thirty days. The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency. Persons thus appointed shall be known as emergency em-

ployes. Appointing authorities shall forthwith report to the director all emergency appointments and such appointments shall not be renewed.

Section 607 Status of Employees Holding Positions When Act Takes Effect Any employe who holds a position which is in the classified service as herein defined and which was in the classified service under the law in force immediately preceding the effective date of this act shall if he has been appointed after appropriate competitive or competitive promotional examination and has successfully completed his probationary period become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided. Any such employe who has not completed such probationary period at the time this act takes effect shall retain his status as a probationary employe until the expiration of that probationary period. If he successfully completes his probationary period he shall become a classified service employe under the provisions hereof and continue in that position unless separated therefrom as herein provided. Any provisional employe holding a position in a bureau division board or department having a merit system under the law in force immediately preceding the effective date of this act shall become a provisional employe under the terms hereof. All war-duration appointments reclassifications and promotions made pursuant to the provisions of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) shall continue as war-duration appointments until appropriate eligible lists have been established and certifications made therefrom. Any employe having accepted war-duration appointment reclassification or promotion shall have the right of return to his former position and status in the classified service.

Section 701 Training Programs The director [shall devise and recommend plans for employe training programs to] may develop in cooperation with appointing authorities and other supervising officials and shall if requested cooperate with them in the conduct of such plans for employe training programs to the end that the quality of service rendered by persons in the classified service may be continually improved.

Section 704 Service Standards and Ratings In cooperation with appointing authorities the director shall establish and may from time to time amend standards of performance and output for employes in each class of positions in the classified service or for groups of classes and a system of service ratings based upon such standards. [In such manner and with such weight as may be provided in the rules service ratings shall be considered in determining salary increases and decreases within the limits established by law and by the compensation plan and as a factor in promotion examinations provided that all applicants for promotions in the same class of position are credited on an equal basis according to their individual service rating and as a factor in determining the order of furlough when forces must be reduced because of lack of funds or work and the order in which names are to be restored on employment lists and as a means of discovering employes who should be promoted demoted transferred or removed. In such manner and at such time as the rules may require each appointing authority shall report to the director the service ratings of employes under his jurisdiction or such information as the director may request as a basis for determining such service ratings. Upon request any employe shall be informed of his service rating and may be informed of the service ratings of other employes in the same class.] Service ratings shall be considered for such purposes as the rules of the commission shall provide.

Section 804 Removal during Probationary Period The appointing authority may remove an employe from the classified service at any time [after two months from the date of his appointment and] before the expiration of the probationary period. The appointing authority shall furnish the director with a statement in writing of the cause

of the removal The person so removed shall be considered permanently separated from his position but the director may if he considers such action appropriate place the name of the person thus removed on the employment list of the appropriate class for future certification to other appointing authorities

Section 806 Resignation The rules of the commission shall state what shall constitute resignation from the classified service Absence from duty for five consecutive working days without notice to the appointing authority may be regarded as an abandonment of a position and in effect a resignation [No person who has voluntarily resigned from the service shall be restored to his position within six months from the effective date of his resignation] Upon the request of an appointing authority and with the approval of the Commission an employee may be reinstated in the classification from which he has resigned No resignation of any person in the classified service shall be effective unless accepted by the appointing authority within fifteen days after the actual date of the making thereof No person about to be appointed to any position in the service of the Commonwealth shall in advance of or at the time of such appointment sign or execute a resignation dater or undated No resignation shall be made or shall be valid unless it bears the signature of the person resigning and the date of the resignation in his hand-writing Any person who resigns from the classified service may ask the commission in writing within fifteen days after such resignation for a public hearing stating his reasons If on investigation there appears to be good evidence that the employee has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and without just cause the commission shall grant him within thirty days a public hearing as hereinafter provided in the case of removal or demotion and shall treat the separation as though it were a removal

Section 904 Prohibition of Political Activity No person in the classified service shall be a member of or delegate or alternate to any political convention nor shall he participate at any such convention except in the performance of his official duty or as a visitor nor shall he serve as a member of [or attend the meetings of] any committee of any political party or take an active part in political management or in political campaigns or use his office or position to influence political movements or to influence the political action of any officer or employee in the service of the Commonwealth nor shall he circulate or seek signatures to any nominations or other petition required by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the votes or returning the election material to the place provided by law for that purpose save only for the purpose of making and depositing his own ballot as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of carrying out official duties and of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw Provided however That the rights of any individual as a citizen are not impaired hereby and the

prerogative to attend meetings to hear or see any candidate or nominee or to express one's individual opinion shall remain inviolate

Section 4 Repealer The following Act of Assembly is hereby repealed absolutely

The act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission"

Section 5 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smit*, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buechin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Varallo,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Walton,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,

Flack,
Fleming,
Foor,

Madden,
Madigan,
Mazza,

Rose,
Rowen,
Royer,

Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five, (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two percentum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

On the question,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. STOCKHAM. Mr. Speaker, Senate Bill 762 divides the Volunteer Firemen Insurance Fund into two parts, one-half going to the Firemen's Pension, where there may be paid drivers or unpaid firemen in the same department. The other half may be divided or left with the Relief Fund. This bill seems to be very inequitable. The drivers or whoever might be in touch with the Pension Fund would derive all the benefits that accrue to all the other firemen and then derive the pension benefit as well. So that in the event of death the pensioner's estate would receive two benefits, and because of the inaccuracy, I move you sir, that this bill be recommended to the Committee from whence it came for further consideration.

On the question,

Will the House agree to the motion?

Mr. COLE. Mr. Speaker, I desire to interrogate the gentleman from Bucks, Mr. Stockham.

The SPEAKER. Will the gentleman from Bucks permit himself to be interrogated?

Mr. STOCKHAM. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, sometime ago we had in this House a bill to send back to the fire departments in the political subdivisions two per cent of the foreign fire insurance. What effect would this particular bill have on the bill already passed?

Mr. STOCKHAM. Mr. Speaker, the bill that we passed is simply a distribution of the unpaid balance. This in

effect would give to the Pension Fund one-half of the regular fund that goes to the volunteers, and the other half would remain for the funds as they are used now.

Mr. FLEMING. Mr. Speaker, I am awfully sorry but I was out of the room and I understand there was a motion before the House to recommit Senate Bill 762.

The SPEAKER. That is correct, Printer's No. 403.

Mr. FLEMING. Mr. Speaker, I would rise in opposition to this motion to recommit—

Mr. STOCKHAM. Mr. Speaker, I have been asked to hold this over temporarily so that more information can be had upon the part of those who wish to object.

The SPEAKER. If there is no objection the bill will be passed over temporarily. Will the gentleman withdraw his motion to recommit?

MOTION TO RECOMMIT WITHDRAWN

Mr. STOCKHAM. I shall, Mr. Speaker.

The SPEAKER. The Chair hears no objections and the bill is passed over temporarily.

ANNOUNCEMENT

The SPEAKER. The Chair has just been informed that at this evening's session there will be some controversial matters brought before the House prior to the festivities that have been planned. The Members are urged to be present promptly at the time which will be announced later. All the Members are urged to be present. There will be bills on the calendar and there will be communications from the Senate. It is most important. If there are any Members here who know of Members who are absent this afternoon, will they please see that those Members are present this evening.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 802, as follows:

An Act to further amend section 2 of the act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia reducing the minimum number of days for advertising The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the Act approved the sixth day of June one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the city of Philadelphia" as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 404) is hereby further amended to read as follows

Section 2 No plan for survey or regulation or a revision of either or both shall be finally acted upon by the said board of surveyors until advertisement shall have been made for two times in each of three daily newspapers of general circulation in the city of Philadelphia The first insertion in each newspaper to be inserted [the thirty] at least fifteen days immediately preceding the proposed action and the second notice to be inserted not less than [fifteen] days thereafter and that handbills be posted upon and throughout the area covered by the plan to be considered giving notice of a hearing thereof for at least [thirty] fifteen days prior to said hearing and that upon the confirmation of any plan of surveys and regulations by the said board of surveyors the seal of the board shall be affixed thereto and attested by the presiding officer said confirmation to be final and conclusive without appeal

Section 2 This act shall take effect immediately upon its final passage.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rjwen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 804, as follows:

An Act to further amend section four hundred forty-four of the act approved the second day of May one thou-

sand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" increasing maximum appropriation which may be made for agricultural extension work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth class and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) is hereby further amended to read as follows

Section 444 Agricultural Extension Work The board of commissioners may appropriate a sum not to exceed [five thousand dollars (\$5000)] seven thousand five hundred dollars (\$7500) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the purpose if improving and developing agricultural resources of the county The money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,

Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reilly, W. J.,	West,
Elder,	Lee,	Reese, R. E.,	Wheeler,
Erb,	Leisey,	Reilly, J. M.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 812, Printer's No. 425

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 820, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Harrisburg Dauphin County Pennsylvania containing approximately twenty-seven acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania clause eighth section of the first article of the Constitution is hereby granted in accordance with the seven-tenth of United States to the acquisition by the United States of America of a certain tract of land lying in the city of Harrisburg Dauphin County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at a point in the center of a manhole cover located at the intersection of the center lines of Rudy Road and Twenty-fifth Street and running thence North 87° 53' East a distance of 691.1 feet to an iron pin thence South 3° 00' East a distance of 1150 feet to a pin thence South 87° 53' West a distance of 1062.6 feet to a point thence North 2° 40' West a distance of 115 feet to a point thence North 2° 22' West a distance of 328.25 feet to a point thence North 3° 32' West a distance of 384.73 feet to a stone thence North 7° 44' East a distance of 182.4 feet to a point thence North 65° 17' East a distance of 374.1 feet to the point of beginning containing approximately twenty-seven acres

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all

cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchtn,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 821, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Wilkes-Barre Luzerne County Pennsylvania containing approximately fifty-one acres for the use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the city of Wilkes-Barre Luzerne County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at an iron pin set for a corner on the southerly right-of-way line of the State Highway new Route No 169 leading to Bear Creek and in the southwesterly side line of lands of George Skelton thence from said beginning point and along the line of lands of George Skelton and along the line of lands of Parsons and Flick Estates South 49°-17' East 447.93 feet to an iron pin set for a corner thence from said pin South 14°-01' West 1246.77 feet to an iron pin set for a corner on the northerly right-of-way line of the State Highway old Route No 169 thence from said pin along the northerly right-of-way line of said State Highway old Route No 169 North 68°-43½' West 1921.88 feet to a point at the intersection of the said northerly right-of-way line of the State Highway old Route No 169 with the easterly right-of-way line of the State Highway Route No 515 thence from said point and along the easterly northerly and southeasterly right-of-way line of the said State Highway Route No 515 by the following eight straight and curved lines (1) North 21°-16½' East 25.00 feet to a point and thence (2) North 68°-43½' West 25.00 feet to a point of curve and thence to the right in a northwesterly direction having a radius of 100.00 feet with a chord course of North 22°-03¾' West and a chord distance of 145.45 feet and an arc right-of-way line distance of 162.88 feet to a point of compound curve and thence (4) by a curve to the right in a northeasterly direction having a radius of 1382.69 feet with a chord course of North 36°-35' East and a chord distance of 573.40 feet and an arc right-of-way line distance of 577.57 feet to a spike on said right-of-way line and thence (5) by a curve to the right in a northeasterly direction having a radius of 1382.69 feet with a chord course of North 51°-25' East and a chord distance of 141.31 feet and an arc right-of-way line distance of 141.38 feet to a point and thence (6) South 35°-36½' East 25.00 feet to a point and thence (7) by a curve to the right in a northeasterly direction having a radius of 1357.69 feet with a chord course of North 58°-28½' East and a chord distance of 193.30 feet and an arc right-of-way way line distance of 193.44 feet to a point and thence (8) by a curve to the right in a northeasterly direction having a radius of 1357.69 feet with a chord course of North 65°-19' East and a chord distance of 131.56 feet and an arc right-of-way line distance of 131.62 feet to a point at the intersection of the southeasterly right-of-way line of State Highway Route No 515 with the southerly right-of-way line of the first above mentioned State Highway New Route No 169 leading to Bear Creek thence from said point and along the southerly right-of-way line of said State Highway new

Route No 169 South 87°-29' East 1971.72 feet to the line of lands of George Skelton the place of beginning containing approximately 50.798 acres

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson.	Frost.	McCormack.	Sarraff.
Andrews.	Gallagher.	McCosker.	Sax.
Bane.	Getchey.	McCullough.	Scanlon.
Barrett.	Gibson.	McDonald.	Schuster.
Baumunk.	Goff.	McKinney.	Scott.
Beech.	Goodling.	McMillen.	Serrill.
Bender.	Gorman.	Mihm.	Shoemaker.
Bentzel.	Graybill.	Mikula.	Simons.
Bloom.	Greenwood.	Miller.	Smith, C. C.
Boles.	Greer.	Mills.	Smith, C. M.
Bonawitz.	Griffiths.	Mintess.	Snider.
Boorse.	Guthrie.	Mohr.	Sollenberger.
Bower.	Gyger.	Mooney.	Sorg.
Brelsche.	Hall.	Moore, C. E.	Sproul.
Brice.	Haller.	Moore, H. A.	Stank.
Brown.	Haudenschild.	Morrison.	Stimmel.
Brunner.	Helm.	Murray.	Stockham.
Bucchin.	Henry.	Myers.	Stonier.
Cadwalader.	Hewitt.	Najaka.	Stuart.
Capano.	Hocker.	Naumann.	Swope.
Cassidy.	Hoffman.	Needham.	Tahl.
Chervenak.	Hoopes.	Neff.	Thomassy.
Chudoff.	Horan.	Nelson.	Thompson.
Clevenger.	Imbt.	O'Connor.	Tittle.
Cochran.	Jennings.	O'Dare.	Tompkins.
Cole.	Johnson.	O'Donnell.	Toomey.
Cook.	Johnston.	O'Neill.	Upshur.
Cooper.	Jones.	Orban.	Vaughan.
Cordier.	Jump.	Patten.	Verona.
Costa.	Kean.	Petrosky.	Wachhaus.
Crowley.	Kelley.	Pichney.	Wagner.
Dague.	Kemp.	Pickens.	Waldron.
Dalrymple.	Kent.	Polaski.	Wallin.
Davison.	Kirley.	Powers.	Walton.
De Long.	Kline.	Price.	Waterhouse.
Demech.	Kohl.	Propert.	Watkins.
Dennison.	Kratz.	Ragot.	Watson.
Depuy.	Krise.	Readinger.	Weidner.

Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Lelsey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 822, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the township of Loban Blair County Pennsylvania containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land lying in the township of Logan Blair County Pennsylvania for use as a site for a Veterans' Administration Hospital bounded and described as follows

Beginning at an iron pin at the most southerly corner of the intersection of Pleasant Valley Boulevard and Twenty-seventh Street thence South 42° 07' East a distance of 1072.46 feet to an iron pin on the northwesterly boundary line of lands now of fomely of D. Robet Menchey thence South 25° 51' West along the said northwesterly boundary line a distance of 806.92 feet to a point thence North 64° 09' West a distance of 994.14 feet more or less to the southeasterly line of Pleasant Valley Boulevard thence North 25° 51' East along the southeasterly line of Pleasant Valley Boulevard a distance of 1209.25 feet more or less to the beginning containing approximately 23 acres.

Section 2 Exclusive jurisdiction in and over the aforesaid parcel of land is hereby ceded to the United States of America by the Commonwealth of Pennsylvania for the erection of forts magazines arsenals dock yards and other needful buildings to be used by the United States for military and other public purposes with the exception of roads abutting on the said land which are not already under the jurisdiction of the United States

Section 3 The jurisdiction so ceded to the United States is granted upon the express condition that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the land and buildings aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land may be executed thereon in the same manner as if this jurisdiction had not been ceded The United States shall re-

tain such jurisdiction so long as the said land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 4 The jurisdiction so ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property persons and franchises within the boundaries so ceded

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gatlagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davi,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Lelsey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RESOLUTION No. 64

Mr. IMBT. Mr. Speaker, I desire to call up at this time Resolution No. 64, Printer's No. 927, on page 48 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 9, 1947.

At Kresgeville in Monroe County the school district of Polk Township maintains a school the home economics department of which has been selected by the Department of Public Instruction as one of four outstanding home economics courses in the Commonwealth on the basis of class room equipment and method philosophy of curriculum and general interest to participate as a part of a model home economics class room to be conducted at the Pennsylvania State College during the coming summer to be observed and studied by educators interested in home economics therefore be it

Resolved That the House of Representatives hereby commends the Board of School Directors of Polk Township the officers and staff of the office of the County Superintendent of Schools of Monroe County and the Principal Home Economic's Teacher and the participating student body of the Kresgeville School for their initiative and foresight in bringing about this splendid achievement and for their contribution to the development of home economics education in Pennsylvania on a level above the State's present conception of an adequate system and be it further

Resolved That copies of this resolution be transmitted by the Chief Clerk to the President of the Board of School Directors of Polk Township the Superintendent of Schools of Monroe County the Principal of the Kresgeville School and the Teacher of Home Economics of the Kresgeville School

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 92.

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases and repealing inconsistent laws

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title by inserting after the word "cases" the following words "and repealing inconsistent laws".

Amend Section 1, page 2, line 8 by inserting after the word "aldermen" the words "including all fees in vagrancy cases; page 2, line 13 by striking out the brackets before and after the words "seventy-five cents" and by striking out the words "one dollar" on the same line; page 2, lines 16 and 17 by striking out the brackets before and after the words "seventy-five cents" and by striking out the words "one dollar" on line 17; page 2, line 19 by striking out the brackets before and after the words "one dollar" and by striking out the words "two dollars" and inserting in lieu thereof the words "and fifty cents"; page 3, line 1 by striking out after the word "(ten)" the words "twenty-five" and inserting in lieu thereof the word "fifteen"; page 3, line 4 by striking out the brackets before and after the words "seventy-five cents" and by striking out the words "one dollar"; page 3, line 8 by striking out after the word "dollar" the words "fifty cents" page 3, line 9 by striking out the brackets before and after the words "seventy-five cents" and by striking out the words "one dollar"; line 11, by striking out the brackets before and after the word "fifty" and by striking out the words "seventy-five"; page 3, line 12 by striking out the brackets before and after the word "fifty" and by striking out the words "seventy-five"; page 3, line 16 by striking out the brackets before and after the words "seventy-five cents" and by striking out the words "one dollar"; page 3, line 17 by striking out the brackets before and after the word "fifty" and by striking out the words "seventy-five"; page 4, line 4 by inserting after the word "dollars" where it appears the second time on the line the words "and fifty cents"; page 4, line 5 by striking out before the word "which" the words "fifty cents"; page 4, line 15 by striking out the brackets around the word "fifty" and by striking out the words "seventy-five"; line 17 by striking out the brackets before and after the word "fifty" and by striking out the words "seventy-five"; page 5, line 3 by striking out the brackets before and after the word "fifty"; page 5, line 4 by striking out the words "seventy-five"; page 5, line 9 by striking out the brackets before and after the words "one dollar" and by striking out the words "two dollars" and inserting in lieu thereof the words "and fifty cents"; page 5, line 11 by striking out the words "twenty-five" and inserting in lieu thereof the word "fifteen"; page 5, line 12 by striking out the word "fifty" and by striking out the words "thirty-five" and inserting in lieu thereof the word "forty"; page 5, line 14 by striking out the word "fifty" and inserting in lieu thereof the word "forty"; page 5, line 16 by striking out after the word "dollar" the words "fifty cents"; lines 17 and 18 by striking out the words "one dollars" and inserting in lieu thereof the words "seventy-five cents"; page 6, lines 11 and 12 by striking out the words "one dollar" and inserting in lieu thereof the words "seventy-five cents"; page 6, line 15 by striking out the brackets before and after the words "two" and by striking out the word "three" and by inserting after the word "dollars" the words "and fifty cents"; page 9, line 6 by striking out the brackets before and after the word "fifty" and by striking out the words "seventy-five".

Amend Section 1, page 10, line 6 after the word "services" by adding the following:

Section 2 The act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 88) entitled "An act regulating the fees of justices of the peace magistrates and aldermen in case where persons are charged with vagrancy is hereby repealed

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Sproul,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 93.

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 3, line 19, by striking out after

the word "cents and bracket" the words "one dollar" and inserting in lieu thereof the words "seventy-five cents".

Amend section 1, page 4, line 1, by striking out after the word "cents and bracket" the words "one dollar" and inserting in lieu thereof the words "seventy-five cents".

Amend section 1, page 4, line 4, by striking out after the word "cents and bracket" the word "one dollar" and inserting in lieu thereof the words seventy-five cents."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Leisey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
For,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 454.

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen, three hundred twenty-one of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 1 by inserting after the word "forty-seven" the word "forty-eight"; line 3 by striking out after the word "of" the word "two" and inserting in lieu thereof the word "three."

Amend Section 3, page 6, line 6 by striking out after the word "trap" the following "twenty-five dollars (\$25.00)" and inserting in lieu thereof the following "twenty dollars (\$20.00)".

Amend Section 14, page 21, line 8 by striking out the bracket before and after the word "five" and striking out the word "ten".

Amend Section 16, page 25, line 6 by inserting a bracket before and after the word "of".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ELDER. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to see in the Hall of the House this afternoon a former Member of the House. He is well acquainted with all the Members who served in former sessions. The Chair refers to the gentleman from Philadelphia, now from the County of Delaware, Mr. Levy.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1103.

An Act to amend section two hundred seven of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations defining and providing for the organization, merger, consolidation, reorganization, wind-

ing up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissioners, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for service required to be rendered by this act, imposing penalties; and repealing certain acts and parts of acts relating to corporations," requiring the recording of corporation charters and amendments thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 13 by striking out the word "and"; lines 14, 15, and 16 by striking out after the word "State" the following: "and the recording of the charter of the corporation in the office for the recording of deeds in and for the county in which the registered office of the corporation is located"; page 4, line 6 by inserting after the word "incorporation" the following: "after the issuance of the certificate of incorporation by the Department of State the corporation shall record its charter in the office of the Recorder of Deeds in and for the county in which the registered office of the corporation is located."

Amend page 4, line 12, by inserting after the word "amendment" the words "recording of amendments"; line 15 by striking out after the word "State" the following: "and the recording of the certificate and the attached copy of approved articles in the office for the recording of deeds in and for the county in which the registered office of the corporation is located"

Amend page 5, line 7, by inserting after the word "reason" the following: "after the issuance of the certificate of amendment by the Department of State the corporation shall record the certificate and the attached copy of approved articles in the office for the recording of deeds in and for the county in which the registered office of the corporation is located."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Heim,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,

Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foot,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1214.

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 1, page 3, line 10, by inserting heavy brackets after the word "of" and before the word "the".

Amend section 2, page 5, line 16, by striking out after the word "town" the word "of" and inserting in lieu thereof the word "or".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisich,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudensfield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dairymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Lelsey,	Reilly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foot,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 502.

An Act to further amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon

the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by requiring certain experience as a noperator before opening a beauty shop further regulating the eligibility requirements for examinations the right to give home treatments and the proceedings to revoke or suspend licenses and certificates and prescribing additional penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title page 1, line 1 by striking out after the word "amend" the words "sections four and thirteen of"; page 2, line 1, by inserting after the word "by" the words "requiring certain experience as an operator before opening a beauty shop"; line 4 by inserting after the word "examinations" the words "the right to give home treatments"; line 6 by inserting after the word "certificates" the words "and prescribing additional penalties."

Amend section 1, page 2, line No. 1 by striking out after the word and numeral "Section 1" the words "Sections four and thirteen of the" and inserting in lieu thereof the word "The"; line 9, 10 and 11 by striking out after the word "penalties" the words "as amended by the act approved the third day of May one thousand nine hundred forty-five (Pamphlet Laws 412) are hereby further amended to read as follows" and inserting in lieu thereof the following: "amended by adding immediately following section two thereof a new section to read as follows

Section 2.1 Establishment of beauty shop without certain experience prohibited it shall be unlawful for any person to establish operate or maintain a beauty shop for compensation unless he or she shall have had twelve months' experience as a licensed operator under the provisions of this act nothing contained in this section however shall apply to or affect any person who upon the effective date of this amendment operates or maintains a beauty shop

Section 2 Section four of said act as amended by the act approved the third day of May one thousand nine hundred forty-five (Pamphlet Laws 412) is hereby further amended to read as follows"

Amend section 2, page 4, line 15, by inserting after the word "operator" the following: "or five years' experience as an operator in a beauty shop or five years' experience as an operator in a beauty shop"

"Section 3 Section eight of said act is hereby amended to read as follows"

"Section 8 Practice in beauty shops only it shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop provided that [a registered operator may furnish] any registered operator who has heretofore furnished beauty culture treatments to persons in residences of such persons by appointment may continue to do so without being sponsored by a duly licensed beauty shop but any registered operator not furnishing such home treatments before the effective date of this amendment shall not thereafter furnish beauty culture treatments to persons in residences of such persons by appointment unless sponsored by a duly licensed beauty shop

"Section 4 Section thirteen and subsection (a) of section twenty of said act as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 412) are hereby further amended to read as follows

Amend section 4, page 7, by inserting after line 3 the following:

"Section 20 Penalties (a) any person who shall practice or teach beauty culture or act in any capacity wherein registration is required without complying with this act shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars (\$50.00)

and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days and any person who shall establish operate or maintain a beauty shop in violation of the provisions of this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25.00) each day of violation shall be construed as a separate offense".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KRISE. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 477

June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 477, Printer's No. 775, for further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. BANE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Fayette Mr. Bane vote on the final passage of this bill?

Mr. BANE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Fayette Mr. Cochran vote on the final passage of this bill?

Mr. COCHRAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BANE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BANE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last two lines of title, by striking out the words "courts of common pleas" and inserting in lieu thereof: "Department of Agriculture providing for audits of the expenditures of such funds by the Auditor General."

Amend sec. 2 (Sec. 15.1), page 4, lines 17 and 18, by striking out the words "The court of common pleas of the county may direct the county treasurer to make payments" and inserting in lieu thereof: "Payments."

Amend sec. 2 (Sec. 15.1), page 4, line 18, by inserting

after the word "fund" the following: "shall be made by the county treasurer upon direction of the Department of Agriculture."

Amend sec. 2 (Sec. 15.1), page 5, line 6, by inserting after the word "Association" the following: "directed to the department."

Amend sec. 2 (Sec. 15.1), page 5, line 11, by inserting after the word "surety" the following: "with the department."

Amend sec. 2 (Sec. 15.1), page 5, line 12, by striking out the word "court" and inserting in lieu thereof "department."

Amend sec. 2 (Sec. 15.1), page 5, line 13, by inserting after the word "purposes" the following: "The department shall transmit the bond as filed to the State Treasurer."

Amend Sec. 2 (Sec. 15.1), page 5, lines 16 and 17, by striking out the words "in the office of the prothonotary of said" in line 16, all of line 17, and inserting in lieu thereof: "with the department".

Amend sec. 2 (Sec. 15.1), page 5, line 19, by inserting after the word "year" the following: "A copy thereof shall be filed with the Auditor General who shall make an audit thereof and advise the department of his findings."

Amend sec. 2 (Sec. 15.1), page 5, line 19, by striking out the words "Any interested person may file exceptions".

Amend sec. 2 (Sec. 15.1), page 6, lines 1 to 3 by striking out all of lines 1 and 2, and the words "sound it may thereafter" an inserting in lieu thereof: "The department shall thereafter".

Amend Sec. 2 (Sec. 15.1), page 6, line 4, by inserting after the word "fund" the following: "if the Auditor General does not approve the account of the society or association herein required to be filed."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 478

June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 478, Printer's No. 571, for further amendments.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

RECONSIDERATION OF VOTE

Mr. BANE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SNIDER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Fayette Mr. Bane vote on the final passage of this bill?

Mr. BANE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Fayette Mr. Snider vote on the final passage of this bill?

Mr. SNIDER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BANE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BANE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 3 from bottom of title, by inserting after the word "societies" the following: "and associations of individuals."

Amend Title, page 2, last line of title, by striking out the word "court" and inserting in lieu thereof: "city council and providing for audits of the expenditure of such funds by the city controller".

Amend Sec. 1 (Sec. 15.1), page 3, lines 8 and 9, by striking out the words "court of common pleas of the county in which such city is located" and inserting in lieu thereof: "city council".

Amend Sec. 1 (Sec. 15.1), page 3, line 11, by inserting after the word "animals" the following: "or if no such incorporated society exists in such city then to an unincorporated association of individuals whose purpose is prevention of cruelty to animals".

Amend Sec. 1 (Sec. 15.1), page 3, line 13, by inserting after the word "society" the following: "or association".

Amend Sec. 1 (Sec. 15.1), page 3, line 15, by inserting after the word "society" the following: "or association".

Amend Sec. 1 (Sec. 15.1), page 3, line 16, by inserting after the word "society" the following: "or association".

Amend Sec. 1 (Sec. 15.1), page 3, line 17, by inserting after the word "surety" the following: "with the city treasurer".

Amend Sec. 1 (Sec. 15.1), page 3, line 18, by striking out the word "court" and inserting in lieu thereof: "city council".

Amend Sec. 1 (Sec. 15.1), page 4, line 1, by inserting after the word "society" the following: "or association".

Amend Sec. 1 (Sec. 15.1), page 4, lines 3 and 4, by striking out the words "in the office of the prothonotary to the same proceeding as its original petition for such money" and inserting in lieu thereof: "with the city council".

Amend Sec. 1 (Sec. 15.1), page 4, lines 5 to 8, by striking out the words "Any interested" in line 5, all of lines 6 and 7, and the words "said exceptions to be sound it may thereafter" in line 8, and inserting in lieu thereof: "A copy thereof shall be filed with the city controller who shall make an audit thereof and advise the city council of his findings. The city council shall thereafter".

Amend Sec. 1 (Sec. 15.1), page 4, line 9, by inserting after the word "society" the following: "or association if the city controller does not approve the account of the society or association herein required to be filed".

Amend Sec. 1 (Sec. 15.1), page 4, line 10, by striking out the word "court" and inserting in lieu thereof: "city council".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill one third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 466

June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 466, Printer's No. 628, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

HOUSE BILL No. 466 AND COMMUNICATION LAID ON TABLE

Mr. McMILLEN. Mr. Speaker, I move that this bill, together with the communication from the Governor, be laid upon the table.

The motion was agreed to.

RESOLUTIONS

RECALLING HOUSE BILL No. 1099 FROM GOVERNOR

Mr. SORG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 12, 1947.

Resolved, (if the Senate concurs), That House Bill No. 1099, Printer's No. 364, entitled "An act to amend section four hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled 'An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors; and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor and repealing existing laws,' by clarifying the

powers and duties of the institution districts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 1098 FROM GOVERNOR

Mr. SORG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 12, 1947.

Resolved, (if the Senate concurs), That House Bill No. 1098, Printer's No. 362, entitled "An act to further amend sections two and nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2051), entitled 'An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind, and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board,' by changing the definition of 'Assistance' and eligible requirements for aged persons and other persons," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM WELFARE COMMITTEE

Mr. WALTON. Mr. Speaker, I wish to make this report for the Chairman of the Welfare Committee:

The Committee of Welfare is having placed upon your desk the report of their visits to the Mental Hospitals of the State and I would like the report made part of the records of the House, rather than taking the time to read it into the records. I want to state for the information of the House that my Committee did an excellent job. They gave of their time and energy in order that they could better understand the problems confronting Pennsylvania in regards to the mental patients.

Mr. Speaker, I also want to compliment the superintendents of the Mental Institutions and their entire force for the splendid work they are doing under the great handicap of lack of personnel and equipment.

Mr. Speaker, I would also like to say that I was one of the Committee that went on that trip. I know that in many ways our mental hospitals are in bad shape. One of the arguments that I have used to my people who have objected to the emergency taxes that we have put on at this time is that the taxes on pop and the taxes on cigarettes are going to be used to better these mental hospitals. Anybody who objects to these taxes, you can tell them that the ten cents extra tax that they pay or that they might spend in extra tax goes to these mental hospitals to make conditions better for our poor unfortunate mental patients in the State of Pennsylvania.

The SPEAKER. The report will be noted in the Journal and printed in full in the appendix to the Legislative Journal.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 812 as follows:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk and Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order and re-delivered resold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States

Preamble

Whereas The production sale and distribution of milk and certain milk products in this Commonwealth are attendant with serious conditions affecting milk producers milk dealers and consumers of milk the following legislative findings of fact with respect thereto are hereby made

1 Milk is the most necessary human food vital for promotion of the public health and for development of strength and vigor in the race It is a most fertile field for the growth of bacteria and therefore its production and distribution have been surrounded by more costly sanitary requirements than those of any other commodity in this the third greatest milk producing and consuming state of the nation

2 Milk consumers are not assured of a constant and sufficient supply of pure wholesome milk unless the high cost of maintaining sanitary conditions of production and standards of purity is returned to the producers of milk If this is not done large numbers dispose of their herds or engage in milk strikes and other producers supply unhealthful milk or milk of lower quality because of financial inability to comply with sanitary requirements

and to keep vigilant against contaminations Public health is menaced when milk dealers do not or cannot pay a price to producers commensurate with the cost of sanitary production or when consumers are required to pay excessive prices for this necessity of life

3 Approximately eight thousand milk producers residing in the Commonwealth of Pennsylvania and many thousand producers resident in other northeastern states including principally Pennsylvania New York New Jersey and Vermont ship milk to the New York City Metropolitan Market Because of the interstate character of much of the milk entering this market great difficulty has been experienced in stabilizing said market and securing to the widely scattered producers prices adequate to insure a constant supply of pure and wholesome milk for the consumers The problem in these states is a common one that cannot be effectively met by legislation enacted by them severally Uniform regulation and control of all milk and cream entering the same market is essential to the production delivery and sale of adequate pure and wholesome milk and cream for the health and welfare of the consumer public residing in New York City and the Counties of Westchester Suffolk and Nassau in the State of New York and because of the interstate character of much of this milk and cream the required uniformity can be accomplished only through the joint action and agreement of the states affected in the nature of an interstate compact made effective by the consent of the Congress of the United States as contemplated in Article 1 Section 10 Clause 3 of the Constitution of the United States

Whereas public control of the milk industry especially as to prices paid to producers shipping both intrastate and interstate should remain under control of law to the end that the prices received by producers shipping in interstate commerce shall be commensurate with the prices received by producers selling their milk intrastate

Whereas it is necessary to preserve promote and protect the public health and welfare and to prevent fraud and imposition upon consumers and producers by continuing to treat the production transportation manufacture processing storage distribution and sale of milk as a business affecting the public health and affected with a public interest

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania is hereby designated and appointed as Milk Compact Commissioner and vested with authority to confer with legally constituted authorities of other states and of the United States with respect to uniform milk control as applying to milk delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York Said Milk Compact Commissioner is hereby authorized to confer and negotiate with and to enter into an agreement or interstate compact with such authorities of New York New Jersey and Vermont and Massachusetts if it chooses to join to provide for the uniform regulation of the price to be paid producers for such milk subject to such federal consent as may be required by law The Milk Compact Commissioner may if such compact shall so provide become a member of any authority or commission created by such compact for the purpose of conducting investigations securing information holding hearings fixing prices and issuing orders rules and regulations

Section 2 Any such compact as hereinbefore provided may include or provide the method and procedure for establishing by orders of any authority or commission created thereby among other things formula prices equalization of producer prices assessment of administrative expense against handlers and compensation for services to producers Such compact shall be applicable only to that milk which constitutes the regular and the necessary reserve supply for New York City and the counties of Westchester Suffolk and Nassau in the State of New York Any such compact shall provide that in fixing prices for milk consideration shall be given to all the elements of

the cost of production and other economic conditions which affect the market supply and demand for milk and its products and shall provide for the fixing of such prices as will reflect such factors insure a sufficient supply of pure and wholesome milk and be in the public interest. Any such compact shall provide that any order issued thereunder shall fix a price of any milk covered by such order and distributed in Pennsylvania as fluid milk or cream which shall be commensurate with the prices established by law on other milk produced in Pennsylvania and distributed in the same market in Pennsylvania as milk or cream and not covered by such compact order. Such compact shall also provide that any milk delivered by producers for re-sale or processing as milk or cream in the city of New York or the counties of Westchester Suffolk or Nassau in the State of New York and diverted from those markets to any market in Pennsylvania shall be priced at a price commensurate with the prices legally established by the authorized authorities of the Commonwealth of Pennsylvania for the area and market to which such milk or cream is so diverted and sold.

Section 3 The Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him by this Act shall designate a deputy to act for him and in his behalf.

Section 4 The Milk Compact Commissioner shall make such reports to the Governor of the Commonwealth relating to the duties performed hereunder as shall from time to time be requested by the Governor.

Section 5 When and if an agreement and compact shall be agreed upon by and between the legally constituted authorities of the States of Pennsylvania New York New Jersey and Vermont and Massachusetts if it chooses to join such compact it shall be the duty of the Pennsylvania Milk Compact Commissioner hereinbefore designated to transmit such agreement or compact to the Governor of this Commonwealth and if the Governor shall determine that the same conforms to the intent purpose and requirements of this act he shall so certify and transmit or may join with legally constituted authorities of the other states that are parties to such compact in transmitting the same to the Congress of the United States requesting the consent of the Congress thereto in conformity with the provisions of Article 1 Section 10 Clause 3 of the Constitution of the United States.

Section 6 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Bower,	Guthrie,	Mohr,	Sollenberger,
Breisch,	Gyger,	Mooney,	Sorg,
Brice,	Hall,	Moore, C. E.,	Soroul,
Brown,	Haller,	Moore, H. A.,	Stank,
Brunner,	Haudenschild,	Morrison,	Stimmel,
Bucchin,	Helm,	Murray,	Stockham,
Cadwalader,	Henry,	Myers,	Stonier,
Capano,	Hewitt,	Najaka,	Stuart,
Cassidy,	Hocker,	Naumann,	Swope,
Chervenak,	Hoffman,	Needham,	Tahl,
Chudoff,	Hoopes,	Neff,	Thomassy,
Clevenger,	Horan,	Nelson,	Thompson,
	Imbt,	O'Connor,	Tittle,

Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davidson,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese D. P.,	Wescott,
Efenberg,	Lager,	Reese R. E.,	West,
Elder,	Lee,	Rellly, J. M.,	Wheeler,
Erb,	Leisey,	Rellly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Vester,
Fiss,	Lvons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Trout.

Turner.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 633

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesman and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" excluding certain officers and employees of cemetery companies engaged in selling cemetery plots from the provisions of the act.

And has appointed Messrs. Homsher, Wade and Klein a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. KRISKE. Mr. Speaker, I move that the House insist on its amendments nonconcurring in by the Senate and that a Committee of Conference be appointed on the part of the House.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 633

The SPEAKER. The Chair appoints as a Committee of

Conference on the part of the House Messrs. KRISE, GIBSON and MILLS.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 313

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 313, entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) as amended, entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

And has appointed Messrs. Snowden, Wade and Tarr a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

SENATE BILL No. 313 AND MESSAGE LAID ON TABLE

Mr. BRUNNER. Mr. Speaker, I move that Senate Bill No. 313, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. BENTZEL from the Committee on Education, reported as committed, Senate Bill No. 378, entitled:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent.

Mr. ALBERT W. JOHNSON from the Committee on State Government, reported as committed, Senate Bill No. 463, entitled:

An Act to amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into in-

terstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining prejudy defining remedies repealing legislation supplied and superseded by this act and saving rights and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission.

Mr. NAJAKA from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Mr. YEAKEL from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Mr. MOHR from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing for a space wherein elector shall affix his signature or mark on registration card.

Mr. WEIDNER from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as member of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Mr. MILLS from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act, approved the thirtieth day of March, one thousand nine hundred thirty seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and cor-

porations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Mr. BOWER from the Committee on State Government, reported as committed, Senate Bill No. 636, entitled:

An Act to further amend section eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing or projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings specifications or other date.

Mr. FROST from the Committee on Insurance, reported as committed, Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen, and subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance and group accident and health insurance to include trust funds established by employers.

Mr. CADWALADER from the Committee on Ways and Means, reported as committed, Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by providing further for the assessment, collection and lien of the tax, granting certain enforcement and investigatory powers to taxing authorities, and imposing duties on certain county officers.

Mr. CADWALADER from the Committee on Ways and Means, reported as committed, Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and

prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws.

Mr. WEISS from the Committee on State Government, reported as committed, Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies with the approval of the Governor to acquire by purchase or condemnation land with or without buildings to erect buildings to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of said lease to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary and providing that land and buildings acquired hereunder shall be exempt from taxation.

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

Mr. O'DONNELL from the Committee on Elections and

Apportionment, reported as committed, Senate Bill No. 777, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses an election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies.

Mr. WAGNER from the Committee on Appropriations, reported as committed, Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals for a survey of the need for additional hospital facilities and for the development and administration of a hospital construction program which will in conjunction with existing facilities afford hospitals adequate to serve all people of the State and appropriating money establishing methods of administration and control providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements.

Mr. HOOPES from the Committee on State Government, reported as committed, Senate Bill No. 810, entitled:

An Act to further amend sections three four and five of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 158) entitled "An act creating a Legislative Reference Bureau providing for the election of a director by the General Assembly designating the officers and employes of such bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation" further defining the powers of the director with respect to the employes of the Bureau and increasing the director's salary.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

Mr. CADWALADER from the Committee on Ways and Means, reported as committed, Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and providing penalties.

Mr. McKINNEY from the Committee on State Government, reported as committed, Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

Mr. McKINNEY from the Committee on State Government, reported as committed, Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and becomes a public school employee and a member of the Public School Employees' Retirement Association.

Mr. CADWALADER from the Committee on Ways and Means, reported as committed, Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class imposing taxes upon certain classes of personal property providing for the assessment and collection of the same imposing duties on county assessing authorities boards of revision of taxes receivers of school taxes imposing duties on and providing for compensation to certain county treasurers and providing penalties.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman Recreational Park Mead Township Warren County for constructing buildings and improvements and maintenance thereof.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act to further amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" eliminating certain obsolete provisions and providing for the salaries of assistant superintendents and certain supervisors working under the supervision of the county superintendent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act to amend section two hundred two of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examination to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" increasing salaries of the chairman and the members of the commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April one

thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners

peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or marks on registration card.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to further amend section eight of the act approved the twenty-seventh day of April one thousand

nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" increasing the amount which may be charged by the department for making the necessary examination for approval of architectural drawings specifications or other data.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen, and subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance and group accident and health insurance to include trust funds established by employers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania to-

gether with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class prescribing the duties of public officials requiring the filing of returns and the giving of information by employers and those subject to the tax imposing on employers the duty of collecting the tax at source making a husband liable for his wife's tax providing for the lien and collection of the tax imposing penalties and repealing inconsistent laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by authorizing the Department of Labor and Industry through the Secretary of Property and Supplies with the approval of the Governor to acquire by purchase or condemnation land with or without buildings to erect buildings to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth the same to become the property of the Commonwealth upon termination of said lease to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary and providing that land and buildings acquired hereunder shall be exempt from taxation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Work-

men's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 777, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses an election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals for a survey of the need for additional hospital facilities and for the development and administration of a hospital construction program which will in conjunction with existing facilities afford hospitals adequate to serve all people of the State and appropriating money establishing methods of administration and control providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder authorizing the acceptance and expenditure of Federal funds in accordance with such requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 810, entitled:

An Act to further amend sections three four and five of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 158) entitled "An act creating a Legislative Reference Bureau providing for the election of a director by the General Assembly designating the officers and employees of such bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation" further defining the powers of the director with respect to the employees of the Bureau and increasing the director's salary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 826, entitled:

An Act to further amend subsection (d) of section

three hundred twelve of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by extending the basis on which the Department of Labor and Industry is authorized to enter into reciprocal arrangements with other state agencies and the Federal Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 827, entitled:

An Act to provide revenue for school districts of the first class by imposing a temporary business tax on persons engaging in certain businesses therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 850, entitled:

An Act to add section twelve point one to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employe and becomes a State employe and a member of the State Employees' Retirement Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 851, entitled:

An Act to add section eleven point one to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments

therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" providing for the retention of membership in the State Employes' Retirement Association by any contributor who ceases to be a State employe and becomes a public school employe and a member of the Public School Employes' Retirement Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 852, entitled:

An Act to provide revenue for public school purposes in school districts of the first class imposing taxes upon certain classes of personal property providing for the assessment and collection of the same imposing duties on county assessing authorities boards of revision of taxes receivers of school taxes imposing duties on and providing for compensation to certain county treasurers and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 862, entitled:

An Act making an appropriation to the Chapman Recreational Park Mead Township Warren County for constructing buildings and improvements and maintenance thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 37.

An Act defining and providing for the licensing and regulation of private schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

HOUSE BILL No. 41.

An Act to amend section five hundred five of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessors and other employes providing for their compensation payable by such counties prescribing certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" increasing the compensation of assessors.

HOUSE BILL No. 22.

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to war veterans and making an appropriation.

HOUSE BILL No. 50.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedures for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by changing the provisions of said act relating to removal notices, transfer of registration, check-up of registers and street lists.

HOUSE BILL No. 60.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration, and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," by further regulating and changing the provisions of the act relating to cancellation of registration upon the failure to vote within two years by giving removal notice same effect as request for reinstatement.

HOUSE BILL No. 345.

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which

personnel of board of managers shall be elected to change the method of determinating availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions.

HOUSE BILL No. 365.

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee

HOUSE BILL No. 553.

An Act to further amend the act, approved the twelfth day of May, one thousand eight hundred eighty-seven (P. L. 95), entitled "An act regulating the compensation of county auditors, within the Commonwealth," increasing the compensation of county auditors.

HOUSE BILL No. 758.

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe" and "original member" to include Members of the General Assembly at their option; and permitting such members to retire under certain circumstances.

HOUSE BILL No. 757.

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants," providing for the time of payment of salaries to county officers.

HOUSE BILL No. 803.

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations

real estate brokers rental agents and boards of school districts and imposing penalties" changing the provisions of said act relating to removal notices transfer of registration checkup of registers and street lists

HOUSE BILL No. 882.

An Act to further amend section thirty-eight of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" further regulating and changing the provisions of the act relating to cancellation of registration upon failure to vote within two years by giving removal notice same effect as request for reinstatement

HOUSE BILL No. 999.

An Act to add sections ninety-seven and ninety-eight five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the formation of a State association of directors of veterans' affairs, and the payment by counties of certain expenses in connection therewith.

HOUSE BILL No. 1001.

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties.

HOUSE BILL No. 1076.

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases providing for an ap-

peal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties" declaring certain additional labor practices by employes to be unfair

HOUSE BILL No. 1087.

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found.

HOUSE BILL No. 1106.

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 401) entitled "An act defining and providing for the licensing and regulation of private trade schools and classes conferring powers and imposing duties on the State Board for Vocational Education and prescribing penalties" broadening the definition of private trade school and providing for the licensure of agents of such trade schools.

HOUSE BILL No. 1180.

An Act to further amend section one thousand one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending, revising consolidating and changing the law relating thereto" increasing the compensation of township auditors.

HOUSE BILL No. 1278.

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

HOUSE BILL No. 1322.

An Act making an appropriation to the trustees of the Pennsylvania State College for the erection of a building or buildings the installation of facilities and the purchase of equipment to be used for conducting a research program relating to the artificial insemination of cattle and livestock

HOUSE BILL No. 1327.

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes

HOUSE BILL No. 1341.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 500, 673, 954 and 1118

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 500, Printer's No. 752, entitled "An act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 673, Printer's No. 746, entitled "An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled 'An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties' permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 954, Printer's No. 355, entitled "An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices."

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 12, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1118, Printer's No. 589, entitled "An Act to further amend section three hun-

dred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' extending the provisions relative to the making of certain contracts and further regulating same."

JAMES H. DUFF.

PERMISSION TO ADDRESS HOUSE

Mr. GOFF asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to direct my remarks to the gentlemen from Philadelphia who yesterday conducted themselves in truly American-like manner in accepting defeat on certain legislation.

I wish to convey to them from their innumerable colleagues in this House the knowledge that if this Legislature had emerged upon this floor it would have had many friends among us here.

When the Declaration of Independence tells us that all men are created equal and that each citizen is endowed by the Creator with unalienable rights, it lays the foundation for a truly human appraisal of every social problem. That simple and evident statement bespeaks the dignity of every human individual. It implies the proper relationship between all men. It acknowledges the necessity of keeping God in the picture. It is not merely the primary principle of an American social credo. It is the expression of a universal norm.

There can be only one intelligent and honest norm for judging the correctness of our attitude in social relations. It is the norm of a human being considered completely and comprehensively. You cannot determine the proper relationship of a human being to a machine unless you first recognize the difference between the two. You cannot establish the relationship between a colored man and a white man or an Indian and a Jew unless you first acknowledge what is common to both. If there is an essential difference in their natures, there must be an essential difference in their relationships. If they enjoy a common nature, any differences must be accidental and circumstantial.

No one who accepts the Constitution and the Declaration of Independence can hold the theory of white supremacy and still be a true American. When that prejudice is carried over to deprive a man of his right to join a labor union or to job equality, the false premise participates of subversion of sound social order.

No man can accept the concept of "inalienable rights" bestowed upon every creature by his Creator and then hold a fellow-man in contempt because he is colored, Catholic, or a Jew.

"Inalienable rights" have no meaning except in the light of the spiritual nature of man. Man has no meaning, his life has no significance, unless they be predicated on a relationship to the Creator.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have listened to the very noble sentiments expressed by the gentleman who has just addressed the House. I sympathize with his creed; I accede his

philosophy. I regret the fact that his cheers were not expressed in terms of a vote. It is very enlightening to learn that there was so much sentiment in favor of FEPC legislation in the event that bill appeared on the floor. I say it is very enlightening to learn that, but it is very disappointing to read the record and see that there was so little assistance in any effort made to bring the bill out upon the floor. There was always the expedient of trying to bring the bill out which the gentlemen from Philadelphia who so eloquently addressed this Assembly yesterday could have utilized. They could have at least given the gentleman who just spoke and the other gentlemen whose hearts panted for the opportunity of voting for FEPC. They could have been given the opportunity to do so had they voted to discharge the Committee. I am unable to understand why the motion to discharge the Committee from consideration of the FEPC bill introduced by myself should have been stamped as a party measure and should not have received a single vote on the other side of the House, where there were apparently so many people wishing to vote for the FEPC if they only had the chance.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 152

The SPEAKER. The Chair lays before the House the report of the Committee of Conference on Senate Bill No. 152.

The report will be filed with the Clerk. This being a Senate bill, it will be printed by the Senate.

ANNOUNCEMENT

The SPEAKER. Members desiring to have supplies from desks mailed to their respective homes at the end of the session, kindly have same delivered to the House Store-room where material will be packed for shipping. It is requested that no ink or paste bottles be included with material to be mailed.

RECESS

The SPEAKER. If there is no objection, the Chair will now declare a recess until 6:30 p. m. Eastern Standard Time. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 166.

An Act to amend section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing

revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing additional temporary salary increases and the appropriation use and temporary loans therefor and validating such increases heretofore made.

Referred to the Committee on Education.

SENATE BILL No. 259.

An Act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class.

Referred to the Committee on State Government.

SENATE BILL No. 260.

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class.

Referred to the Committee on State Government.

SENATE BILL No. 800.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts.

Referred to the Committee on Education.

SENATE BILL No. 859.

An Act to further amend section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approved providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

Referred to the Committee on State Government.

SENATE BILL No. 863.

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital to sell and convey a certain tract of land in the township of Conewango County of Warren Pennsylvania but reserving there from an existing easement of right-of-way and of ingress and egress for continuance of such easement.

Referred to the Committee on State Government.

SENATE BILL No. 861.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine

(P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and officers thereof including the boards of trustees of and the administrative departments boards commissions State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

Referred to the Committee on State Government.

SENATE BILL No. 869.

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and business therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

Referred to the Committee on Education.

SENATE BILL No. 867.

An Act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 868.

An Act providing for joint action by the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana in the construction operation and maintenance of a inter-state highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of Indiana authorizing the Governor for these purposes to enter into an agreement with the States in question creating an Inter-State Turnpike Commission and defining its powers and duties including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

Referred to the Committee on State Government.

The SPEAKER. The Chair requests the gentleman from Bucks, Mr. Stockham, the Chairman of the Select Committee, to preside over the ceremonial session.

CONGRATULATORY RESOLUTION AND PRESENTATION OF GIFTS

Mr. STOCKHAM presided as Chairman during the presentation of Resolutions of Recognition.

The CHAIRMAN. At the end of the each session of the Legislature the House pauses for a celebration, some-

thing the same as we have in the program at the closing of school. We lay aside our guns and swords, our spears and our boxing gloves. We then assume the spirit of felicitation and good will as we depart for our homes.

The first part of this program will be the presentation of the colors by the American Legion Guard of Honor.

The colors were presented by the American Legion Guard of Honor.

Oath of allegiance.

Singing of America.

RESOLUTION

CONGRATULATING THE SPEAKER

Mr. SORG offered a resolution which was read as follows:

In the House of Representatives, June 12, 1947.

On the character and ability of the presiding officer of a deliberative assembly depend, not only the dignity and smooth operation of its proceedings, but also the success of the results of its deliberations.

The House of Representatives of this Commonwealth, through a long line of Speakers of notable qualifications, has attained a position of eminence among the legislative bodies of the Nation.

Outstanding among the group of men who have wielded the gavel of authority at the rostrum of this House is its present Speaker, the Honorable Franklin H. Lichtenwalter, a personable man, born to lead his fellows, not through force, overbearing and intimidation, but through a friendly and pleasing manner, an enviable sense of humor, a courage to do the right, and a firmness combined with graciousness, alike in conferring favors and in denying demands.

The Speaker of this House is a typical Pennsylvanian. He springs from the good stock of Lehigh County. He is and will always be one of them. He is a man of the community. His friends and neighbors, with one accord, love him and are proud of him. The scope of his community is ever widening. It now takes in the Commonwealth—it will soon take in the Nation. The community spirit will always go with him. He will always be, as he is now, a man among men, and enjoy an irresistible personal popularity.

A young man, with the sagacity that often comes only with years, a sincere and forceful public speaker, with a pleasing voice and ready command of language, he possesses a friendly dignity, which assures him of retaining the position which he holds in the public esteem, and which will carry him far in his chosen career of public service, to the envied goal of an outstanding statesman.

It is with a feeling of personal loss that the members of this House contemplate the fact that at the session of 1949, when he would again have been elected Speaker, Frank Lichtenwalter will not be available; but they rejoice in the greater honor that will have been conferred on him as a member of the National House of Representatives, and in the wider opportunity afforded him to serve his Commonwealth and his country.

In the rapidly changing complexions of the House of Representatives during recent years, it became necessary to find and develop new leaders. It was not by chance that the member from the country district of Lehigh County was decided upon for the important post of majority leader in 1943. His services and his reelection in 1945 bear witness that the choice was good. His elevation to the Speakership in 1947 was inevitable. As Speaker he has further distinguished himself as a capable and efficient administrator and a fair and courageous presiding officer, who has brought the dispatch of legislation to a new high; therefore, be it

Resolved, That the congratulations of the House of

Representatives be tendered to the Honorable Franklin H. Lichtenwalter for the success with which he has accomplished the difficult tasks that have been his lot, for the gracious manner in which they have been performed, and for the position of leadership and personal popularity that he has attained; and be it further

Resolved, That we, as individual members of the House, thank him for his courteous and considerate treatment of every question and objection that has been raised, for his patience with, and understanding of our problems, and for having guided the proceedings of the House with such skill that we have arrived at the end of an extremely difficult session without avoidable friction; and, as we prepare to leave, we wish him happiness and continued success in his new field of activity, and the comfort and satisfaction of results attained, and in his private life, the bountiful blessings of good health, good fellowship and a happy home; and be it further

Resolved, That, in evidence of the sincerity of our felings, the Chief Clerk of the House of Representatives is hereby directed to certify a copy of this resolution and to transmit it to the Honorable Franklin H. Lichtenwalter.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Elk, Mr. Sorg.

Mr. SORG. Mr. Chairman, I am so glad to present this resolution, because proud as I was at the beginning of the session to nominate the present Speaker of this House, I am doubly gratified at this time to offer commendation to him for the remarkable job he has done.

When this session opened we all knew that everything was going to be all right so far as our presiding officer was concerned, but no one dared to dream that our Speaker under all the circumstances could possibly perform the magnificent job that he has performed. It was his intensive work and his effective planning that made it possible to maintain a schedule during this session of the Legislature in a dignified and decorous way such as I have never seen before. Every last one of us admires him and respects him for his ability to keep things going in the right kind of way, and we are all deeply grateful to him for his tireless efforts on our behalf. His unselfishness and his loyalty to this House have been glorious to see.

It is because he has endeared himself so very much in the hearts of us all, and because we are all so very proud of him, that there is a general feeling of regret and remorse among us as we anticipate his departure from our midst, and we reflect that this is his last session in this legislative hall.

But in the knowledge that his next step forward—to another Legislative Hall, the Congress of the United States—is just another milestone in a brilliant career, our most sincere good wishes go with him. As his leadership and his accomplishments here have been of great credit to us all, so also will his future activity wherever he goes continue to reflect credit on that body where his public service first began to make itself known. We also hope that the ties he has made here will bring him back once in a while, and that we may see him occasionally.

As the work of the House goes on in the future, his absence will be felt; the contribution he has made will long be remembered; and, as a man among men, he'll be sorely missed.

It is with great personal satisfaction that I present him this gift on behalf of all the Members.

The CHAIRMAN. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Chairman, it is with pleasure I second the resolution offered by the Majority Leader, the gentleman from Elk.

Without reservation, I endorse the tribute it pays to the Speaker of this House.

For Mr. Chairman, the gentleman from Lehigh, who has presided over the sessions of this House, has ably maintained a creditable tradition without in any way sacrificing his particular convictions and without diminishing by one iota his adherence to the program to which his party is committed. He has, as Speaker, functioned within the limits prescribed by parliamentary law. Without infringing upon the rights of the majority he has accorded the minority every proper consideration.

Upon occasion he has even leaned over backwards as a result of his evident desire to be fair.

While I have no desire to pluck any laurels from the brow of the poet laureate of the House, the gentleman from Wayne, nevertheless I claim the privilege of embodying some faint indication of the sentiments that move in lines which, while they may not scan, will at least rhyme.

And so I say:

We could wish for Lichtenwalter
A laurel wreath and not a halter
On his throne he rules in might
He hopes for peace but is prepared to fight
Before his throne we state our case
He draws no line of wealth, of race
In all his rulings he has been fair
That's why he adorns the Speaker's Chair.
We're pleased to note he has the hope
To give his talents a wider scope—
To serve the people of the Nation
With the national Congress as his station
If he should win his Congress race
It will take some doing to fill his place
Stockham says that we're closing school
If so we've been subject to a kindly rule
So where'er Lichty goes and his race we scan
We'll say—and mean it—there runs a man.

The CHAIRMAN. The Chair recognizes the gentleman from Snyder, Mr. Fiss.

Mr. FISS. Mr. Chairman, it is with pleasure, I assure you, that I rise to second this resolution. Franklin Lichtenwalter and I came up the hard way. We served during the war years of 1943 and 1945 as Speaker and Majority Floor Leader, and when you are associated with one who works so closely with you for four years you learn to love and understand him.

We disagreed at times, but after thoughtful consideration, we did our very best to carry out the plan which was set before us with courage and fidelity. Our present Speaker never failed in carrying out his part of the work.

During the two terms I was privileged to serve as Speaker I always felt safe and secure when our present Speaker served as Floor Leader.

In our many associations he was always courteous, kind, and eager to do that which was best for his fellow men.

He was honest, knowing what he had to go through

as Speaker of this House, having had some of the same experiences, he was honest in his desire to rule with equity and according to the rules of justice.

He was courageous, presiding over the Sessions of the House, and administering the affairs of the House, he made decisions without fear or favor.

He was an ambassador of good will. To create a spirit of good feeling and fellowship among the membership of the House is one of the prerequisites of restoring order. "Order is Heaven's first law." He fully realized that his first job was to preserve order and decorum. Without order the business of the House could not be carried on efficiently and effectively.

The Speaker has been faithful in action. With honesty, courage, good will, and order dominating every action the Speaker has contributed his full share in the advancement of good legislation fulfilling the desires of the people of this Commonwealth.

He leaves us with an unfinished task but with honor untarnished I know he will meet the many other problems which will confront him with the same zeal and courage.

The CHAIRMAN. The Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Chairman, we come to that time in the session when we pause from the trials, tribulations and vexations of legislation, and change the verbal brickbats we are accustomed to hurl across the House into verbal floral tributes to the man who preside over this House, and to all those offices and employees who contribute so much to the efficiency, the comfort and well being of the Members of this Legislature.

Our sort of government is not always efficient. It is often bungling. But I doubt whether anybody here would attempt to debate the fact that it is the best kind of government that has ever been conceived for the average man. While we are all conscious of this fact, we are forgetful of the contribution to good government that is made by the presiding officer of this parliamentary body.

Into his keeping is not only given the destinies of the particular session in which he presides, but also the kind of legislation upon the excellence and soundness of which is dependent the well being of our people and the progress of government in this Commonwealth.

We are all too apt to pass on without realizing that the man who presides over our deliberations must not only have tact, training in legislation and experience in politics, but also must have integrity. He must have mental honesty, he must have physical endurance, he must have patience and he must have a knowledge of human nature if he is to succeed in dealing with the rest of us two hundred and seven Members of this Legislature from all walks of life, holding every sort of opinion, with every sort of outlook and with every sort of mental approach to the problems that come before us.

Mr. Chairman, when at the opening of this session, I had the very deep pleasure of voting for our present Speaker to preside over this session, I had no doubt in my mind that if those specifications were laid down as qualifications requisite for the high office of Speaker of this General Assembly, he would meet the specifications in every detail. And now as we come into the closing days I would say to him that he has not only merited

the tributes that are being paid to him here tonight, but also that he has fulfilled my fondest hopes. Nor do I have any hesitancy in saying to him that he has performed his duties to this House with every bit of dignity, integrity, tact, understanding, fairness and humor that is necessary to success as a Speaker.

Mr. Chairman, I join with my colleagues in wishing him Godspeed upon his new undertaking. I wish for him the best of health, and the ability to retain that sense of humor that has been so great an asset in this session. I want him to know that we appreciate his honest and sincere outlook on life; and that as he goes forth from us he may realize that there are two hundred seven Members of this House, no matter what may be their political persuasions, who are solidly behind him.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHAIRMAN. The Chair now recognizes the Chief Clerk of the House, Mr. Habbyshaw.

The CHIEF CLERK (William E. Habbyshaw). Mr. Speaker, you have endeared yourself to all of us who have had the privilege of working with you. Few men have been so well liked by the Members and employees of this House. You have distinguished yourself, first, the Majority Leader and later as Speaker of the House of Representatives.

The Members of the House of Representatives desire to present to you this gavel. May it remind you of the many happy experiences that you have had here among your friends. May I also say that we are looking forward to the day when this gavel, or one like it, shall be used by you to call to order the Congress of the United States.

The CHAIRMAN. The Chair now presents the Speaker of the House of Representatives.

The SPEAKER (Franklin H. Lichtenwalter). Mr. Chairman, fellow Members, again I face one of those moments when I find it difficult to express in words, the true feelings of my heart. Particularly after listening to the variety of speeches just delivered by those who have preceded me.

For weeks, all of us have been discussing the closing days of this session asking "when will we get out?" And now, that the hour for adjournment of the 1947 Session of the Pennsylvania Legislature is drawing near, I stand before you with mingled emotions of both joy and sadness. Joy, because we can return to our respective communities to perform those other duties required of us as representatives of the people. Joy, also because we have discharged our duties honorably and through cooperation we have met our responsibilities and taken advantage of the opportunities to solve the problems facing the people of Pennsylvania at this time. I feel quite confident that when the entire picture of legislation passed at this session is presented to the people of this Commonwealth, they will say to all of us that we have acquitted ourselves well, and fearlessly stood and fought for the best interests of all of the people of Pennsylvania during this entire Session.

But there is a note of sadness as we approach the hour of Sine Die Adjournment because as stated in my opening address on January 7th, there are many differences of

opinion as legislation to be considered is debated upon the floor of this House, but that these differences never mar the friendship which exists among the members of this body. Therefore, there is this sad note that the many old friends we have had over a period of years and the many new friends made during this session, will be absent from the weekly scene here at Harrisburg. We do hope, however, that the Members of this House will truly cherish the friendships made during the session among the membership, and that they will welcome every occasion which will bring them together either at Harrisburg or at any other place within the Commonwealth, and that these friendships may become "Truly Everlasting."

I want to thank the Membership of the House for the way you have helped me during this session. Both the Majority and Minority groups have been most cooperative and have made my task comparatively easy during this entire session, and I have diligently sought to uphold the high standards established by former occupants of this Chair.

I want to take this opportunity to thank the gentleman from Cambria, the Minority Leader, Mr. Andrews, for the cooperation he has displayed with the Chair during this Session. He has been most helpful in expediting the work of this House.

And then, my deepest feeling of gratitude to the Leader of the Majority, Herb. Sorg, who has been one of my staunchest friends and supporters; who has gained the respect and devotion of every member of this House; who has performed his duty as Majority Leader in an excellent manner and has extended to the Chair every consideration and proven himself an able leader.

To the Chairman, the Vice Chairmen of the various House Committees, the Chair expresses its thanks for the courtesies you have extended.

To the Officers of the House and all of the employees, the Chair extends its grateful appreciation for the manner in which they have performed their various duties.

Last, but not least, the Chair could not permit this occasion to go by without saying a word of praise and thanks to one who well deserves it, the Parliamentarian, S. Edward Moore, who will never let you down, never let you flounder, but who is a real guide and help to anyone who occupies the exalted position of Speaker of this House.

Again may I repeat that this is a moment of mingled emotions of both happiness and sadness as we return to our respective communities, let us rejoice in the fact that every one of us has played a part in serving in the building of a greater Pennsylvania and in preserving good government for the people of this Commonwealth and that we shall again at the hour of parting, to overcome a note of sadness, pledge to keep and continue to renew those friendships made during this Session which shall denote a greater value in our lives than any other thing I could think of at this moment. With this in mind I should like to leave with you a few words from the Great Statesman Abraham Lincoln—

"There is a destiny that makes us brothers:

None goes his way alone:

All that we send into the lives of others

Comes back into our own."

RESOLUTION

CONGRATULATING THE MAJORITY LEADER

Mr. CHARLES C. SMITH offered a resolution which was read as follows:

The CHAIRMAN. Mr. Speaker, I cannot resist making a comment as Chairman of this session this evening. To all that has been said I can add nothing in words, except that I would express in behalf of each Member of this House and as for myself Chairman of this meeting, "may God speed you in your new work."

In the House of Representatives, June 12, 1947.

The principles of two party government have prevailed in the Nation and in the individual states since the time of Washington. It is a system of checks and balances, without which governments become autocratic and fail to give action to the wishes of the governed, or heed to their welfare.

Until recent years, although the existence of the system has been acknowledged and its benefits appreciated, but scant official recognition has been accorded it. Within recent Sessions of the General Assembly statutory recognition has been given to the fact that there exist in each house a majority leader and a minority leader. The General Assembly, as its first piece of legislation at the present session, enacted House Bill No. 1 into law, among other things, providing that in the event of a vacancy in the speakership, the majority leader shall perform the duties of Speaker.

It is especially fitting that this new law may first be invoked to confer the dignity of the office of Speaker upon one of the most popular majority leaders who have ever served this House.

The Honorable Herbert P. Sorg came to Harrisburg from St. Marys, in 1941, as the Representative of Elk County. His natural affability, his spirit of cooperation and his willingness to undertake tasks, however onerous or distasteful, soon gained for him a host of friends. The quiet, tactful and efficient way in which he set about performing those tasks, and his success in their accomplishment brought him universal admiration and respect.

As majority whip at the session of 1945, and again as majority leader at the present session, he brought to bear his experience as a successful attorney and business executive. He revealed unusual ability as an administrator and organizer. He possesses the insight to enable him to drive straight to the essentials of every problem, and thereby to dispose of them promptly and with finality. He knows when and to whom to delegate authority for the best accomplishment of desired results. Above all, he is straightforward and dependable. He has never been known to straddle a question; therefore, be it

Resolved, by the Members of this House that we congratulate the Honorable Herbert P. Sorg upon the record he has sustained and enhanced as a leader during this session, and at its closing we wish him every success that a continuance of activity in public life can bring to him, and all the happiness and contentment that can come from it; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Herbert P. Sorg, by the Chief Clerk of this House.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Charles C. Smith.

Mr. CHARLES C. SMITH. It is a great personal privilege to me and an honor to the Philadelphia Delegation to offer this resolution. For one who is not accustomed to making flowery speeches, I find that this one

is extremely easy. I have been chosen to present the resolution for my good friend, the Majority Leader, Mr. Sorg. I had rather not be formal and call him Mister, but call him Herb, as we all know him.

He started this session with a difficult assignment—that of passing the tax measures. He has done the job well and in doing so, has been extremely fair to all and that I would like to stress because it is one of Herb's greatest assets—fairness, not only to the majority but also to the minority. In his handling of Legislation, we, on this side of the House, have faith and trust, which has grown into a deep and lasting affection.

Members of the House, let me say that no man can ask for more than the faith, trust and love of his fellowmen. We know this has been another step up the ladder of success for our good friend, Herb Sorg.

Mr. Chairman, it was with great pleasure that I presented this small token of esteem to our Majority Leader.

The CHAIRMAN. The Chair recognizes the gentleman from Fayette, Mr. Bane.

Mr. BANE. Mr. Chairman, it is with a sense of humility, yet with pardonable pride that I rise to second the resolution presented by the gentleman from Philadelphia, Mr. Smith.

To me, in the closing hours of this session has come the firm conviction that it was no accident that caused the Members of the majority party to select as their leader the gentleman from Elk, Mr. Sorg.

As a member of a militant, though most times ineffectual, minority we have come to appreciate his sterling qualities of sincerity, courtesy and leadership. As respects his leadership, I have had numerous occasions to observe and sit in awe and wonder at the promptness and effectiveness with which his commands were executed. I can say, in all sincerity, that no Commanding General under whom I served in World War II, ever had more complete and adequate control of every tactical situation than that displayed by the Majority Leader during this session.

Most of all, we of the minority, have come to respect him for his high qualities of courtesy. To each of us, and particularly to our Minority Leader, he has accorded every consideration possible.

In the days which lie ahead we wish and hope for him the continued success which his efforts during this session so justly earned for him.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHAIRMAN. The Chair recognizes the Majority Leader, Mr. Sorg.

Mr. SORG. Mr. Chairman, need I say that I am grateful, particularly because I so deeply feel the lack of deserving such recognition as this. I too want to acknowledge the valuable assistance and help of the Parliamentarian of this House, our very capable Speaker, and the cooperative, effective and heart-warming Minority Leader—always fair. I am more than grateful to the Majority Whip because he has been most kind. I am grateful also to the members of the Press who always are asking questions we never know how to answer. I am also grateful, Mr. Chairman, to the secretary who came to me when I was so badly in need of a secretary,

Mrs. Halaiko. I want to acknowledge the valuable assistance of Marty as all of the Members have learned to know her.

Mr. Speaker, I don't know how I can express also the very effective help of the Majority Whip, Charley Brunner, and when all these expressions of appreciation are being passed around I wish that the Members only knew how effective he was, how he was always right there when we needed him most.

Mr. Chairman, thank you and all the Members of the House so very, very much for this gift and for your courtesy.

RESOLUTION

CONGRATULATING THE MINORITY LEADER

Mr. BROWN offered a resolution which was read as follows:

In the House of Representatives, June 12, 1947.

The office of Minority Leader is often a thankless one, and sometimes seemingly futile. Upon the individual who hold the office depends in large measure whether the powers and privileges of the office become merely obstructionary, or whether they contribute materially, as they were intended, to bring about more equitable and just legislation.

The House of Representatives is fortunate indeed to have as its Minority Leader, during the past two sessions, a man with wide and varied legislative experience, not only as a Member, but also as a legislative correspondent, a man who has a keen appreciation of the problems of each day and their effect on the lives of the people of the Commonwealth, whose mind is always on the alert and quick to sense the possibilities of every situation, a man with a sharp wit and the wisdom and tact to use it well to gain a point, but never to unnecessarily hurt or embarrass those with whom he deals.

The Honorable Hiram G. Andrews holds the respect and confidence of Republican and Democratic Members alike. He has used the prestige and authority of his office to the end that the minority, though small, has been effective. Through his wise guidance and counsel much good has been attained, errors have been corrected, and unwise provisions have been modified; therefore, be it

Resolved, That the House of Representatives extends its congratulations and admiration to its ageless statesman and Minority Leader, the Honorable Hiram G. Andrews, and its thanks for his sincere and effective services during the present session, with its best wishes for a long life of service, and the joy that comes from continued achievements; and be it further

Resolved, That, in token of its esteem and appreciation of his worth, a copy of this resolution be delivered to the Honorable Hiram G. Andrews, by the Chief Clerk of the House.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Chairman, when this delightful assignment was given to me not so very long ago I tried the best I could to place my remarks aright, but I became frightened, not knowing what would come after these remarks. Whoever drew the resolution said that we congratulate our "ageless," instead of "ablest" statesman. I didn't have time to change that and I am apologizing now, Mr. Chairman.

I am apologizing also Mr. Floor Leader, to my very, very good friend, for this part in the Resolution which says, "The House of Representatives is fortunate indeed to have as its Minority Leader during the past two

sessions a man who has wide and varied legislative experience, not only as a Member but also a legislative correspondent, a man who has the keenest appreciation of the problems of each day and their effect on the lives of the people of this Commonwealth, whose mind is always on the alert and quick to sense the possibilities of every situation, a man with a sharp tongue,—I beg your pardon, Mr. Speaker, that is a man with a sharp wit,—I am a little confused,—and the wisdom and the tact to use it well to gain a point." Mr. Chairman, I hope the gentleman from Cambria, my very good friend, will not hear this part, "but never to unnecessarily hurt or embarrass those with whom he deals." For the record, Mr. Chairman, I apologize that I did not have the time to even read this resolution.

Seriously speaking, however, my friends, if I were to say anything about Hi Andrews I would have to call upon ancient history to portray Hi Andrews to the people of this Commonwealth. Nothing gives the point more emphasis than the story told of the ancient Greeks who on certain days of their festivities would gather at the temple in Athens, and after having been conditioned for the task before them, they would light their torches and run a race through the city of Athens. The running sometimes was hard, the weather conditions, road conditions bad, but they always got through, and carried their torches for those who were to take them and carry on from the point where the first one stopped.

Hi Andrews the torchbearer, a torchbearer in this new social order; day and night he would gather his pamphlets together in his little office upstairs and light his torch from the flame of our constitutional government, bring his torch down here, and against all adversity throw that light so that it permeated every part of this assembly hall. So, to the torchbearer of the General Assembly, we salute you.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Fleming.

Mr. FLEMING. Mr. Chairman, it is with a great deal of pleasure that I rise to second the resolution offered by my colleague, Mr. Brown.

I am confident that we have all in this session enjoyed our associations with each other. The many highly controversial and serious measures that have been before the House may well have created a bitterness which fortunately has not occurred. In all my experience in this House I have never seen a greater spirit of friendship and true tolerance displayed by the Members on the opposite sides of the House towards each other. Members with directly opposite philosophies of government, in my opinion have displayed towards each other the greatest tolerance I have ever seen in my experience down here, and I believe one of the greatest contributions to that has been the conduct of the Minority Floor Leader, the gentleman from Cambria, Mr. Andrews. His leadership of the minority party has been of the finest that has been seen in these halls, and I know on many occasions his masterful delivery and his scathing opposition has had us on this side of the House squirming in our seats. His satire and his sarcasm have been masterpieces of art, but yet with all that I am confident that I express the opinion of every Member of this House, whether he be on this side or on the other side, that he is a grand fellow, a real leader, and above all a

perfect gentleman, and our wish for him is that he will serve in this capacity or in some leadership capacity for so long as he so desires. That will be a real contribution to the future of Pennsylvania.

On the question recurring,
Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHAIRMAN. The Chair recognizes the Minority Leader, the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Gentlemen, I am not the man in that casket. Mr. Chairman, there once was a fireman who had not been any too godly in his life and who unfortunately passed away. At the funeral the clergyman was very much disturbed in his mind as to what he would say about him, and thought he would look around among the floral gifts and see if he could not get an inspiration. So he came to one floral offering that had this inscription, "He has gone, this loyal fireman, to his last fire."

Now, I don't know whether I have gone to my last fire or not, but on behalf of the minority group, and not in my own right or name, I accept the kindly words that have been said. I have been fortunate, much more fortunate than the Majority Leader. We have had a small group that comprises a committee in fact. We never had to function in caucus. We were generally in thorough agreement. We could talk things over, and with the able assistance that has developed during this session, my somewhat critical friend, the gentleman from Allegheny, Mr. Brown, whom I would not scare or would not frighten or would not affront for anything; and Mr. Bane, and Mr. Readinger and Mr. O'Connor have furnished me with the law. Other members of our group, representative of the labor constituency, have furnished me information about that, so that I have lived an easy life and have put on weight, while my friend the Majority Leader, has had to wonder sometimes whether he could not trade me about 30 Republicans for about 4 Democrats.

Now, Mr. Chairman, I appreciate what the gentleman from Allegheny, Mr. Fleming, has said because at this session, with the cooperation of the minority group and the consideration of the majority group, we have placed parliamentary deliberations upon as high a plane, I believe, as this House has witnessed in its career. I have never known a session where the majority group and the minority group stood more steadfast in defense of their positions, where there was less useless bickering, less obstruction, less animosity than there has been at this session. It would have been so easy, Mr. Chairman, for the majority group to have played that we were not even in the House. We might have had our recourse in certain parliamentary expedients, but we have been given every defense and every consideration inherent in the highest parliamentary tradition which parliamentary government has devised.

I want to express to the Speaker my appreciation for his invariable adherence to the tenets of Parliamentary Law. I want to express to the Majority Leader and to the Chairman of Committees my appreciation for their constant regard for the parliamentary properties.

Mr. Speaker, our minority group is still here. We are looking forward to happier days. Heaven help the Ma-

jority leader had we had ninety-nine at this session. As I said in the beginning, not in my own right and not in my own name but in behalf of the minority group that has cooperated with me, that has been of assistance all the way, without whose help or support we would not have been able to make the record that we have made this session, I accept the expressions that have been made.

RESOLUTION

CONGRATULATING THE MAJORITY WHIP

Mr. O'CONNOR offered a resolution which was read as follows:

In the House of Representatives, June 12, 1947.

A legislative whip has a real job to do, a job that takes endless time and patience, and constant checking and re-checking with the utmost care and consideration for every minute detail. For such an assignment no better choice could be made than the gentleman who is now the Majority Whip of the House, the Honorable Charles H. Brunner, Jr. He is energetic and hard-working, with a bulldog tenacity for keeping at each task that comes before him until he is thoroughly satisfied, not only that it is done, but also that it is done right.

During the 1945 session of the General Assembly, one of the most important subjects of legislation was pure streams and the abatement and future prevention of pollution. This program was fathered and nurtured through to successful final passage by the present Majority Whip. It took and received great perseverance. It took and received careful study and constant vigilance to prevent crippling amendments. That effective legislation resulted was entirely because of the efforts of the sponsor of the bills, therefore be it

Resolved, That we the Members of the House of Representatives, congratulate the Honorable Charles H. Brunner, Jr., as an outstandingly successful legislator and an unusually effective and efficient whip; we hail him as our friend and an all around good fellow, and wish him the continued success that he well deserves, and all the enjoyment and comfort that life can give, and be it further

Resolved, That as a token of our esteem, we direct that a copy of this resolution be transmitted to him by the Chief Clerk of the House.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Cambria, Mr. O'Connor.

Mr. O'CONNOR. Mr. Chairman, no session of the House of Representatives can be a success unless its business is carried on in an orderly and parliamentary manner.

No one man, no matter how willing he may be, is capable of doing all the work required of a party leader of the House. For this reason there is one chosen to assist the party leader who is affectionately called the "Party Whip."

The majority party showed great wisdom in at least one of its decisions at this session—when it chose for its "Whip" the affable gentleman from Montgomery, the Honorable Charles H. Brunner, Jr.

Mr. Brunner, due to his years of experience in this House exemplified his ability to cooperate not only with the members of his own party, but also with all the Members of the House. He has been ever ready to aid his leader.

At times, we, on this side of the House, were startled by the way he kept his party in line. He never was idle

a moment when important matters were before the House. He was all over the House lending a helping hand and encouragement to the young Members, yes, Mr. Chairman, there were times, too, when he was able to cross party lines and procure a Democratic vote.

Mr. Brunner is an intelligent man. He is honest, truthful, courteous and courageous. At no time did he try to mislead anyone. He took his work seriously, and when the Floor Leader was absent, no one knew it for the "Whip" stepped right into his place and the work of the House continued without interruption. He is in every sense a gentleman.

Mr. Chairman, the Members of the House have directed me to present this gift to Mr. Brunner as a token of sincere admiration and every good wish.

On the question recurring,

Will the House adopt the resolution?

It was unanimously accepted by a rising vote.

The CHAIRMAN. The Chair recognizes the gentleman from Montgomery, Mr. Brunner.

Mr. BRUNNER. Mr. Chairman, I thank the gentleman. Members of the House, it has been my proud privilege during this session to serve under a splendid Speaker, a fine Floor Leader, and at times and when necessary I obtained the cooperation of those on the other side of the House. I have been here for a few terms, that is true.

May I state to the newer Members of the House that one of the things that you obtain by serving the people of Pennsylvania as a Member of this House is a lasting friendship with the Members on both sides, which is cemented by that service. No office of this House can function properly without the whole hearted cooperation of the membership, and may I at this time express my gratitude for the cooperation of the members of the majority and for the courtesy by the members of the minority party.

RESOLUTION

CONGRATULATING THE MINORITY WHIP

Mr. WATKINS offered a resolution which read as follows:

In the House of Representatives, June 12, 1947.

The Democratic Party elected the Minority Whip at this session of the General Assembly with the full knowledge that it had a man who knew what had to be done and would do it well.

The Honorable James E. Lovett was the selection of the Minority Party and rightly so for he had rendered faithful service to his Party in the same capacity during the sessions of 1943 and 1945.

In carrying out the duties of his office this session, he has implemented his experience with an increasing wisdom, the same capacity for hard work, and his mellow personality. The Members of the Minority Party have been well satisfied with their choice which Mr. Lovett has completely justified therefore, be it

Resolved, That the House extends to the Honorable James E. Lovett, the Minority Whip, its congratulations upon the success with which his work has met and the capable way in which he has maintained the organization of the Minority Party; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Honorable James E. Lovett as evidence of its appreciation for a job well done.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Schuylkill, Mr. Watkins.

Mr. WATKINS. Mr. Chairman, many kind, true and well warranted statements have been made by the former speakers who have made the previous presentations to the officers of the House, and rightfully so, up to this time.

I through my association with these officer Members, most certainly concur in all these expressions, showing our sincere appreciation of their services and the high esteem in which we hold them.

Now, I have the honor and privilege to refer to another fellow officer Member, the Minority Whip of our House, who has had a long term of service here, the gentleman from Westmoreland, Mr. James E. Lovett, who is plain "Jim" to all of us. This gentleman, your friend and mine has outstanding personal qualities, a well-cultivated gift for oratory, a keen mind, personal charm and tireless energy, all qualities that have won for him a place in state Government. It seems to me the name "Whip" need not apply to this gentleman, for in the genial and kind manner in which he uses his personality to persuade his fellow members of the minority to follow his wishes, certainly no whip need be used. And again, in his same forceful manner during this session and all other sessions in which he has been with us we in the majority always appreciated the kind salesmanship manner in which he, in his sincerity, tries to sell us on his ideas which he believes in, with his ever "Let's Be Fair" attitude of approach to the issues before us.

I might take his statement, "For the life of me," which I have often heard him use on the floor of the House, in his ever convincing way and say—"for the life of me" and for the lives of all of us here assembled, why are there not more Lovett's in our daily lives with whom to associate.

In the presentation of this gift to my dear friend, the gentleman from Westmoreland Mr. Lovett, believe me it is but a mere token of our appreciation for his association. We have a deep feeling of gratitude in our hearts, hoping always that we can have in public life more men like Jim.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHAIRMAN. The Chair recognizes the gentleman from Westmoreland, Mr. Lovett.

Mr. LOVETT. Mr. Chairman, I am somewhat confused as usual, but I want to thank the gentleman who said those very nice things about me. One of my colleagues, Mr. Petrosky, looked into the coffin.

I do want to say to the Members of the House in the closing days, and in the closing hours of this session—in a few hours I suppose the men and women assembled here will return to every section of the state of Pennsylvania. There they will deal with the people, they will be leaders among those people. They can be kind to those people or they can not be kind to those people. I want to say to the men and women of this House that after my long years of service here, in the many sessions I have served, as the other speakers said, in this session of the Legislature there has been closer cooperation and feeling between the members of the majority and the minority than in any session that I have ever served. To me that

is something, because I think as the years go on we as Democrats and Republicans agree with one another and get closer to one another and we do not take issues to heart. There are things that happen at the session of Legislature which, whether for the good or bad, will all go by the way-side if you people here will go back to your section of the state and only be fair with the people that you come in contact with.

I want to say to the Speaker of this House that as he goes on through life I hope he will remember that one little saying that I at least get credit for introducing in this House, "let's be fair." If he does I know that he will reach the peak.

I want to say again to the membership of this House and to my friend Mr. Watkins, that I thank you gentlemen for this gift and those kind words, and I wish you all health, success and happiness.

The CHAIRMAN. The Chairman requests the Majority Leader, and the Minority Leader, the Majority Whip and the Minority Whip to approach the rostrum.

The CHAIRMAN. The Chair recognizes the Speaker of the House.

The SPEAKER. Mr. Chairman, I have a very pleasant duty to perform at this moment. I very briefly spoke in my remarks of the fine cooperation of the Majority and Minority Leaders, with whom the Chair must deal more frequently than with the Majority and Minority Whip. Certainly these four men as the leaders selected by the majority and minority of this House, have performed their tasks well, and I would like to present to them as a gift from the Speaker these certificates designating their official positions in this session of the Legislature for a job well done.

RESOLUTION

CONGRATULATING CHIEF CLERK AND SECRETARY

Mr. McMILLEN offered a resolution which was read as follows:

In the House of Representatives, June 12, 1947

As part of every session of the General Assembly there are two important although unrelated tasks which command the time and energy of a large number of men and women. Essential to the House is a staff of officers and assistants to handle the vast number of details and problems incidental to the functioning of a legislative body. Essential to the public is a staff of newspaper and other press representatives to fairly and accurately report the matters before the General Assembly.

The Chief Clerk of this House, the Honorable William E. Habbyschaw and his assistants have willingly and ably performed the multitude of details assigned to them and have devoted many long hours in the performance of their duties.

The Secretary of this House, the Honorable William P. Roan, and his assistants, have done no less and have proven reliable sources of aid and assistance to the Members in the prompt performance of every request.

The newsmen have reported the activities of this session fairly and impartially to the public and have maintained the high principles that must necessarily attach to such an important profession, therefore be it

Resolved, That the Members of the House of Representatives extend their sincere thanks and appreciation for a job well done to the Chief Clerk of the House, the Honorable William E. Habbyschaw and his assistants, to the Secretary of the House, the Honorable William P. Roan and his assistants and to all the gentlemen of the

press who have been associated with the House of Representatives during this session.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Indiana, Mr. McMillen.

Mr. McMILLEN. Mr. Speaker, it is a happy occasion for me this evening to be asked to present this resolution.

I stop here to pay my respects to a great Speaker, a hard hitting and fair Majority Leader, and his assistant, the Whip; to a courageous opposition Leader and his assistant. With these men leading this House, with all the Members of the House sitting on the floor to vote on bills, it would be impossible to carry on a successful session of the Legislature without the assistance of the various employees that extend from the Speaker's rostrum down through the offices, on down into the basement mailing rooms, where all this material finds its way out into the mails of the Commonwealth of Pennsylvania.

Mr. Chairman, at this time we sort of look around, we become philosophical. It is a poor day in life, my friends, when we cannot say that we have learned something, a lesson that can be useful to us, and as I thought back over this session and looked around to the people who have served us as we labored here, I tried to think of something that I could take home with me, and perhaps a thought to leave with you that would be useful. As I observed their labors, their help, their willingness to serve, their sincerity and efforts being brought to the close of a successful session of the Legislature, I thought to myself that here we have before us in this display the one great lesson of life that all of us must learn sooner or later if we are to be a successful neighbor. That is the lesson of the dignity of labor, the dignity of a job well done. As long as the American people can bring to their youngsters and to each other a feeling of dignity and well-being in the work they have to do, America need not fear. So I say to you, Mr. Chairman, let us pause here to pay our regards and to take due note of this job well done.

At this time, Mr. Speaker, in order to show our appreciation for this job well done, I would like to have the two "Bills," the Honorable William E. Habbyschaw, Chief Clerk of this House, and the Honorable William P. Roan, Secretary of this House, present themselves to this microphone.

To you may I extend our appreciation and to all of your employees. In this bundle are small gifts, which I hope will bear to you and to all of the employees our sincere appreciation.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

Mr. CHAIRMAN. The Chair recognizes the Chief Clerk of the House, Mr. Habbyschaw.

The CHIEF CLERK. Mr. Chairman, I am sure that Bill Roan and I, on behalf of all the employees, want to thank the Chairman and each one of you for these contributions.

The CHAIRMAN. The Chair recognizes the Secretary of the House, Mr. Roan.

The SECRETARY. Mr. Chairman, it has been a pleasure to have worked for you. As the Chief Clerk told you we are very thankful for these gifts. I want to say

that during the interim it will be a pleasure for the Chief Clerk and I to be of service to you.

RESOLUTION

PRINTING OF SPEAKER'S BOOK

Mr. WOOD offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, June 12, 1947.

Resolved, That the Chief Clerk of the House be directed to have printed the resolution of congratulation to the Speaker of the House, introduced by the gentleman from Elk, Mr. Sorg, on June 12, 1947, together with the remarks of the Members of the House relating thereto; and be it further

Resolved, That a copy thereof be sent to each Member of the House.

The CHAIRMAN. This program tonight draws to a close.

To the compliments addressed to the officers of the House by the presenters and seconders of the various resolutions permit me to add mine.

To the Speaker my hearty congratulation upon the masterful performance of his duties as a presiding officer and to his tact and patience.

To the party leaders on both sides of the House my thanks for your courtesies and my appreciation of your sportsmanship and ability.

It would be remiss of me if I should not recognize those who made the program such a success.

Needless to say there is one who has appeared and guided us in making this session very successful, and that is our Parliamentarian. So I want to extend my thanks to Eddie Moore.

Then I also want to thank this special committee that has made all of these arrangements which made possible this program and this very good time. You know the committee which has been named by the Speaker and I shall not take time in going over this list again. May I express to each one of you my very deep appreciation and to the Members of the House our thanks for these substantial expressions to those whom we have honored tonight.

In a very few hours this session of the Legislature will have adjourned. As these festivities close, and the program is finished, I feel that it is appropriate in behalf of your committee, that I express to you, our very best wishes for the remainder of this year.

As we all return to our homes, the various roads that we shall take, to catch up on our respective occupations and professions, I am reminded of what has been said,

"To every man there cometh
A way and ways and a way,
The high soul takes the high way
The low soul gropes the low
And in between on the musty flats,
The rest drift to and fro.
But to every man there cometh
A high way and a low
And every one must choose
The way his soul shall go."

THE SPEAKER (Franklin H. Lichtenwalter) IN
THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bucks, Mr. Stockham, for his very able leadership of the Select Committee as Chairman. We would also like to mention the fine cooperation of the gentleman from Dauphin, Mr. Tittle, and all the other members of the Committee who have worked this evening in bringing about this very fine program.

We will now proceed with the business of the House. The Chair would like to inform the Members that there is very important business that must be conducted on this legislative day, and asks the cooperation of the Members to please remain in their seats and we will try to perform our duties as quickly as possible.

Will the Minority Leader please send his report to the desk on concurrence and non-concurrence bills.

Mr. ANDREWS. Mr. Speaker, I thought I had cleared all that was sent to me.

The SPEAKER. The Parliamentarian informs the Chair that we do not have the Minority Leader's report. Will the Minority Leader please come to the desk?

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

Mr. KRIS asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. FLEMING asked and obtained permission for the Committee on Cities and County-Second Class to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, June 5, 1947.

Whereas, The several counties of the Commonwealth in recognition of the service and devotion of the men and women of the county who served the Nation in the armed forces during the first and second World Wars propose to establish permanent records and mementos to them and

Whereas, Rosters by counties are available in the Department of Military Affairs for the service personnel of World War II but are obtainable only for the Commonwealth at large for the first World War therefore be it

Resolved (If the Senate concurs) That the Department of Military Affairs is hereby directed to prepare and compile a separate roster for each county of the Com-

monwealth of the residents of the county who served during World War I and to make the same available to the proper authorities of the county as early as the same can be accomplished

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 12, 1947

Whereas, Consideration of the site of the 1952 Olympic Games will be on the agenda of the International Olympic Committee at its meeting in Stockholm, Sweden in the near future, and

Whereas, The Council of the City of Philadelphia has already extended an official invitation to have the 1952 Olympic Games held in that city, and

Whereas, A favorable decision by the International Olympic Committee would bring additional honors to the Commonwealth of Pennsylvania renowned for its hospitality to and keen interest in sports and sportsmen; therefore, be it

Resolved, (If the House of Representatives concur), That the General Assembly wholeheartedly endorse and join in the action of the Council of the City of Philadelphia in extending an invitation to have the 1952 Olympic Games held in the City of Philadelphia with the assurance of the cooperation and hospitality of the people of the Commonwealth, and be it further

Resolved, That a copy of this resolution be sent to Mr. Charles L. Todd and Councilman George Maxman, designated by the Council of the City of Philadelphia as its representatives to secure the approval of Philadelphia as the site of the 1952 Olympic Games, directing them to present the same to the International Olympic Committee for its consideration at its meeting in Stockholm, Sweden.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 195

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

Mrs. DYE. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made by the Senate to House Bill No. 195, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 195

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Mrs. DYE, Messrs. BRUNNER and LOVETT.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 826

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 826, entitled:

An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board

Mr. BRUNNER. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made by the Senate to House Bill No. 826, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 826

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. ROBERTSON, BOWER and COLE.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 952

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employes ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

Mr. BRUNNER. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made by the Senate to House Bill No. 952, and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 952

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House Messrs. DAVID P. REESE, RAY L. RILEY and CAPANO.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 720

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 720, entitled:

An Act defining and providing for the licensing and regulation of private business schools and classes and agents thereof conferring powers and imposing duties upon the State Board of Private Business Schools and prescribing penalties

Mr. KRISE. Mr. Speaker, I move that the House recede from its nonconcurrence in the amendments made and insisted upon by the Senate to House Bill No. 720.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. KRISE. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Wells,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	
Fish,	Lovett,	Robertson,	
Fiss,	Lyons,	Root,	
Flack,	Madden,	Rose,	
Fleming,	Madigan,	Rowen,	
Four,	Mazza,	Royer,	Speaker.

NAYS—0.

NOT VOTING—2.

Trout, Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 827

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurring in by the House of Representatives, to House Bill No. 827, entitled:

An Act defining and providing for the licensing of private correspondence schools and the registration of agents of such schools providing for contractual liability conferring powers and imposing duties on the State Council of Education and prescribing penalties

Mr. BRUNNER. Mr. Speaker, I move that the House recede from its amendments nonconcurring in by the Senate to House Bill No. 827.

The motion was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Mr. BRUNNER. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Propert,	Watkins,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Wells,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
			Wood,

Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker

NAYS—0.

NOT VOTING—2

Trout,

Turner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. ANDREWS. Mr. Speaker, we request when the majority changes its attitude on concurrence and non-concurrence and receding or non-receding, that they notify us in advance.

The SPEAKER. The majority will please take notice.

Mr. BRUNNER. That will be done, Mr. Speaker.

REPORTS FROM COMMITTEES

Mr. FLEMING from the Committee on Education, reported as committed Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of the Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, used and temporary loans therefor; and validating such increases heretofore made.

Mr. FROST from the Committee on State Government, reported as committed Senate Bill No. 259, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class.

Mr. FROST from the Committee on State Government, reported as committed, Senate Bill No. 260, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class.

Mr. SCOTT from the Committee on Judiciary, reported as committed, Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

Mr. KRISE from the Committee on Professional Licensure, reported as committed, Senate Bill No. 788, entitled:

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions

of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure.

Mr. WATKINS from the Committee on Education, reported as committed, Senate Bill No. 800, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts.

Mr. GALLAGHER from the Committee on Education, reported as committed, Senate Bill No. 857, entitled:

An Act to amend section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the salary of school controllers.

Mr. LAYER from the Committee on State Government, reported as committed, Senate Bill No. 859, entitled:

An Act to further amend section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

Mr. POLASKI from the Committee on State Government reported as committed, Senate Bill No. 861, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commission and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain adminis-

trative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

Mr. NORMAN WOOD from the Committee on State Government, reported as committed, Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital to sell and convey a certain tract of land in the township of Glade County of Warren Pennsylvania but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement.

Mr. O'DONNELL from the Committee on Elections and Apportionments, reported as committed, Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in certain newspapers in certain cases.

Mr. STONIER from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits.

Mr. HOOPES from the Committee on State Government, reported as committed, Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana in the construction operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of Indiana authorizing the Governor for these purposes to enter into an agreement with the States in question creating an Inter-State Turnpike Commission and defining its powers and duties including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

Mr. CADWALADER from the Committee on Education, reported as committed, Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and business therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing additional temporary salary increases and the appropriation use and temporary loans therefor and validating such increases heretofore made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth sixth seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 260, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth sixth seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased loaned hired or conditionally sold from levy or sale on execution or distress for rent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend section six of the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" further providing for examinations to be given applicants for licensure.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 800, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the classification of school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 857, entitled:

An Act to amend section two thousand two hundred eleven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the salary of school controllers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 859, entitled:

An Act to further amend section four of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" permitting the use of an automatic mechanically operated device as a means of egress and escape from buildings in cases of fire and panic.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 861, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof

and the administrative departments boards commission and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing heads of departments to act by deputy as ex-officio members of any board or commission and authorizing the Secretary of Health to act by deputy both as a member and as chairman of the Advisory Health Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 863, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Board of Trustees of the Warren State Hospital to sell and convey a certain tract of land in the township of Glade County of Warren Pennsylvania but reserving therefrom an existing easement of right-of-way and of ingress and egress for continuance of such easement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 865, entitled:

An Act to amend section one hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in certain newspapers in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 867, entitled:

An Act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 868, entitled:

An Act providing for joint action by the Commonwealth of Pennsylvania and the States of Ohio West Virginia and Indiana in the Construction operation and maintenance of an inter-state highway from the western terminus of the Pennsylvania Turnpike as authorized to be extended to the western border of Indiana authorizing the Governor for these purposes to enter into an agreement with the States in question creating an Inter-State Turnpike Commission and defining its powers and duties including the power to finance the construction thereof through the issuance of bonds redeemable from tolls collected for the use of such turnpike.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 869, entitled:

An Act to provide revenue for school districts of the first class by imposing a mercantile license tax on persons engaging in certain occupations and business therein and providing for its collection providing for the issuance of mercantile licenses upon the payment of fees therefor imposing powers and duties on Boards of Public Education Receiver of School Taxes School Treasurer and School Controller in such districts and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

Mr. TURNER IN THE CHAIR.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 633

The SPEAKER pro tempore. The Chair lays before the House the report of the Committee of Conference on Senate Bill No. 633.

The report will be filed with the Clerk. This being a Senate bill, the report will be printed by the Senate.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 146, as follows:

An Act to add subsection (d) to section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" limiting the number of distributors' and importing distributors' licenses to be issued

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended by adding at the end thereof a new subsection to read as follows

Section 12 Prohibiting against the Grant of Licenses

* * * * *

(d) No distributors' license shall hereafter be granted by the Pennsylvania Liquor Control Board in excess of one such license for each twenty thousand inhabitants of the Commonwealth except where the total population of a county does not exceed 80,000 inhabitants that there be allowed four distributors' licenses

No importing distributors' license shall hereafter be granted by the Pennsylvania Liquor Control Board in excess of one such license for each sixty thousand inhabitants of the Commonwealth but at least one two such license may be granted in each county of the Commonwealth notwithstanding that the quota has been reached This shall apply to those counties having 80,000 or less inhabitants

Nothing in this subsection shall be construed as denying the right of the Pennsylvania Liquor Control Board to renew or to transfer existing distributors' or importing distributors' licenses notwithstanding that the number of such licensed places shall exceed the limitation hereinbefore prescribed

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, simply because the hour is late we should not permit fatigue to submerge the legislative functions or dim our faculties in passing judiciously upon measures that are now pending. House Bill 146, the quota of liquor distributors, gives a quota by population, so many distributors per unit of population.

Now, we have gone on record in this House as taking the quota off of clubs. There is pending before this House a liquor bill which if passed would permit the sale of beer in grocery stores. Then we have a bill which says that a county having 80,000, I think it is, can have four distributors. Now, that process establishes a property right; it is a move in the direction of a monopoly. If you have only a limited number of distributors in the county, you confer on someone a very valuable property right. I cannot see any reason why it is necessary to limit distributors, and I call your attention to the fact that I rise in defense of private enterprise. I appeal to the private enterprise party and against the idea of creating monopoly of distribution which this bill does. Both the principle of creating a monopoly and going against the principle of competition

is obnoxious and abhorrent to all the doctrines of your party. You say private enterprise, you say competition, and then here is a bill which says no private enterprise, government regulation, and do away with competition, and give a very valuable right to certain favored distributors. Mr. Speaker, I say that that is wrong in principle.

Mr. WATERHOUSE. Mr. Speaker, I have a lot of respect for the gentleman from Cambria, also a lot of respect for his talents and his learning and his excellent judgment, but on this particular bill I believe the intent is a little different than he has construed it.

We have a condition in the larger cities, of which my county has one, whereby distributors have gotten so numerous that it is just impossible to police the operation. They have resorted to a distribution of alcoholic beverages by truck to the doorstep of homes at all times of the day and night. We have laws which limit the number of retail outlets, and they have only certain hours in which they can sell under your quota,—not quota, but your distributors can sell to anyone in any amount of a case or more. I myself am against restriction on free trade or competition, but I am not where I believe it is not in the interest of the people. I believe if we do not have an equitable distribution of our alcoholic beverages that we are definitely going to have a lot of trouble with our youngsters, and not only that, but with the problems of keeping our Country so that we can have beer or liquor if we want it. So the object of this bill is not to restrict anyone. We want enough every place but we do not want an over-supply, so that in order to stay in business they have to resort to selling to everyone and every place, with no restriction whatever. I have no interest in the bill other than I believe that under the terms of this bill you could properly police your malt beverage distribution. For that reason I would certainly like to see the bill supported.

Mr. LOVETT. Mr. Speaker, not so long ago I assisted an ex-service man who came from World War II in securing a distributor's license. Now, the gentleman says that we will be better able to regulate drinking with distributor's licenses. He complained of the fact that it is taken to the homes in cases. I would suggest that if we are going to have beer, in the homes is where it should be, and that is where you should drink it. We would have less trouble if they drank it in the homes and did not drink it in these other places. So for that reason I don't know why we should pass this bill.

A lot of the boys are still in the service, and they may want to go into this business. I heard a lot around here about the ex-service men getting into business. I don't think we should close the door to any of this business today. This bill will definitely close the door. For that reason I think we should defeat this bill.

Mr. TOMPKINS. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I had not intended to make any speeches on the floor on this bill, but due to the remarks of the gentleman from Erie, I would like to ask him a couple of questions.

He made the remark in substance that there was such a flood of distributors in the cities that it was causing great

difficulty. I would like to ask how many distributors there are in Erie county?

Mr. WATERHOUSE. I could not answer that exactly, Mr. Speaker, but I would say that it has gone up from approximately 1400 to over 1900 in the last year.

Mr. TOMPKINS. Mr. Speaker, is that in the county of Erie, alone?

Mr. WATERHOUSE. No, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, how many in the county of Erie?

Mr. WATERHOUSE. I couldn't answer that, Mr. Speaker.

Mr. TOMPKINS. Does the gentleman know, Mr. Speaker, how many counties in the state—first of all may I ask him upon what basis was the figure of 20 thousand population selected?

Mr. WATERHOUSE. Mr. Speaker, it was on the basis that one distributor could well serve that number of people in the more populous areas.

Mr. TOMPKINS. Mr. Speaker, why was the figure of 80 thousand selected?

Mr. WATERHOUSE. Mr. Speaker, that was selected, not as a figure, but having less than 80 thousand. The reason for that was,—the only objection that I had heard by any of the distributors,—not distributors, but your malt beverage manufacturers, was that in a small county they felt that unless you allowed more than one for each 20 thousand you might possibly get to the point where one distributor might possibly own both outlets and then we would shut out competition entirely.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many counties in the State there are with 80 thousand population?

Mr. WATERHOUSE. No I do not, Mr. Speaker. I might say that according to the 1940 census there were 35 counties in the State with a population of 80 thousand.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many of those 35 counties have more than two distributors, and more than four foreign distributors?

Mr. WATERHOUSE. Mr. Speaker, a good average in the smaller counties would be six.

Mr. TOMPKINS. Mr. Speaker, I am not talking about the average, I am talking of the particular counties.

Mr. WATERHOUSE. I don't believe, Mr. Speaker, I get that clearly.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many of the thirty-five counties under eighty thousand have less than six of a total of distributor licenses?

Mr. WATERHOUSE. Mr. Speaker, I would like to make a guess that there are—

Mr. TOMPKINS. Mr. Speaker, I am not guessing at the present time, I am seeking accurate information.

Mr. WATERHOUSE. Mr. Speaker, I am sorry that I cannot answer that question correctly.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many counties there are in the State of Pennsylvania with less than twenty thousand population?

Mr. WATERHOUSE. I could not answer that Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many distributors licenses and foreign distributor licenses there are in each of those counties?

Mr. WATERHOUSE. No, Mr. Speaker, I don't have it from a county standpoint. I have it from a larger one, which I gave some time ago.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many distributor licenses there are in the county of Fulton.

Mr. WATERHOUSE. Mr. Speaker, my colleague from Allegheny says there aren't any.

Mr. TOMPKINS. Mr. Speaker, does the gentleman know how many distributors and foreign distributors there are in the county of Cameron?

Mr. WATERHOUSE. I wouldn't know that, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I will answer for the gentleman. There are two. I don't know how many other counties might be in the same situation. Can the gentleman from Erie tell me whether there is any restriction on the sale of malt beverage by a distributor.

Mr. WATERHOUSE. I think not, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, will the gentleman tell me whether there is any restriction on the distributor, once he has a license, from selling his product any place within the confines of Pennsylvania?

Mr. WATERHOUSE. No, Mr. Speaker, I don't believe there is, although I doubt that he would sell it all over the map.

Mr. TOMPKINS. That is all.

Mr. Speaker, I cannot let this bill go without saying something on behalf of those counties, particularly the small counties, of which I represent one in connection with this bill. How many counties there are with less than the quota set forth in this bill, I do not know. How they picked out of thin air the figure of twenty thousand and the figure of eighty thousand, I cannot figure out. They seem to have no justifiable basis for that. They could have made it ten thousand or one hundred thousand. There seems to be no basis for it at all. Further than that if the quotas in the larger centers of population become filled and they have more competition than ordinary, we run into the very property right question which has been raised by the Minority Leader of this House, that is, if the men can go into these small communities and pick up those property rights to the extent provided under this bill, they can force the men out of business who are in those smaller counties who have been making their living there legitimately and who would have to compete with the larger distributors who have picked up those property rights in those counties and put the squeeze on. So for that reason I cannot see any justification for creating such property rights as created under this bill unless substantial information is presented to this House upon which we may pass judgment.

Mr. COLE. Mr. Speaker, I have no desire to prolong the debate on this bill, but I do not think it is fair to pass legislation in this House affecting one county, when that same legislation is going to affect the entire State. In my county the population is around fifty thousand, and we have three distributors. They are all making a good living and there is room for a couple more.

Mr. O'DONNELL. Mr. Speaker, some weeks ago I had the opportunity to read this bill, House Bill 146, and at that time, due to a misunderstanding I suggested and made a motion that the bill be referred back to the Liquor Control Committee for further study. Since that time I have also had the opportunity not only of talking to the sponsor of the bill and to the Chairman of the Liquor Control Committee, but I also had the opportunity of talking to many individuals who are engaged in the dis-

tribution of malt beverages, and not only in my county but in several surrounding counties, and the importing distributors, the very large importing distributors throughout the State. I find that I must reverse the position that I took before that it was really unAmerican in the first place to restrict or to limit the number of licenses. I think in passing this bill we are doing the proper thing in permitting any one who engages in the malt distributing business to make a good, easy living. I have found that the average gross profit on a case of beer varies from as low as ten cents a case to approximately fifty to seventy-five cents a case. The cost of the distributor's license you know, is four hundred dollars a year, and with your bond and filing fee it would amount to four hundred and twenty-five dollars. And then you have the Federal permit that you must have under the Federal Law, at a cost of approximately seventy-seven dollars or a total of five hundred dollars for your license fee. You have your rent, your telephone, you have your overhead and in two or three counties that I am told of, I know it does apply to Philadelphia County, that you as an individual licensee cannot run that business yourself. You must have a union employee who is a member of the Teamsters' union, who is the only person that can pick up the beer at a brewery platform or at the platform of an importing distributor. So immediately you are faced with one hundred or one hundred twenty-five dollars, depending on the amount of rent that you ordinarily pay before you make a cent of profit for yourself.

I think we are doing the veterans a favor because the veterans in the last few years have heard of the enormous profit made in the sale of beer. It is true that large profits were made in the last four or five years. That was due to the rationing and the quota and the restrictions on the production of beer. Today there is perhaps an over abundance or over supply of beer, and the profit to the distributor has dropped. I therefore think that we are giving the average applicant for a license a warning by letting him know the cost of the license.

There has been much talk about the population in Bedford County, and that is one reason why we should not have rationing based upon population. I think we are all overlooking one important factor in the law and that is that a beer distributor in any county can go into any of the other sixty-six counties and distribute his beer. I do not think by this legislation we are benefitting one county as against another county. Perhaps the setting of 20,000 as a population unit is arbitrary, but since the licensee can serve in any of the sixty-seven counties I think there is no harm there. We have also talked about property rights naturally. It is not a property right as I see it; it is merely a license right. It is true that the value of a license is increased as the quota is filled and you can get a high sales price for a beer distributor's license. We have in Philadelphia at the present time sixteen or eighteen hundred beer distributors and perhaps two hundred of them are importing distributors. If you will communicate with them I think you will find that approximately ninety per cent of them are for sale and you will find that there is no premium on a beer distributor's license today, and perhaps it will be thirty or forty years before there will be a premium. We will be in session in future years and I think we can take care of that license problem at that time. I urge you in all fairness as a sponsor of this bill,

that this bill should have your hearty support, not only as being a proper piece of legislation for the veterans but for all counties.

Mr. BANE. Mr. Speaker, like my colleague, the gentleman from Westmoreland, Mr. Lovett, I have become a little confused as to what the basic principles here are. You perhaps have realized that I am a rugged individualist. The number of licenses issued to beer distributors, or the number of distributors is not going to increase the quantity of beer flowing through the retail outlets. I do think this is a deprivation of the rights that an individual ought to have. If he wants to go into that business he should have that privilege. He ought to be able to meet competition from the opposition in that community. If I can understand the argument intelligently which has been advanced on the floor of this House, we already have such a flood of existing beer licenses that it is too late to attempt to restrict them by this bill, because I can assure you that this act will not repudiate the already existing wholesale and retail licenses. Therefore this bill ought to fail.

Mr. TOMPKINS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. O'Donnell.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. O'DONNELL. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. O'Donnell, where he received his information that a one man distributor cannot go to the brewery and pick up his own merchandise without the intervention of a union employee.

Mr. O'DONNELL. Mr. Speaker, I might say that I obtained that information from talking to beer distributors in Philadelphia and also talking to union representatives. I have also had the experience in connection with witnessing on behalf of others whom I represented in my practice in Philadelphia, where beer trucks operated by the licensees themselves went to the various brewery platforms in Philadelphia, and the workers at the brewery said, "We are sorry, we cannot load you unless you have a union man in good standing operating that truck." They said that to the licensees themselves. At that time I witnessed where the union representative then came to the licensee and explained to him what could be done in order to obtain the beer, with the net result that the licensee, even though he did not need that helper or assistant and had no need for him, had to engage and hire the union employee.

Mr. TOMPKINS. Mr. Speaker, I appreciate the explanation of the gentleman from Philadelphia but I am informed that in Pittsburgh that is not the case. I also personally know of several distributors in my territory who do not have to go through that formality to pick up the merchandise delivered at the platform of the brewery.

I would like to make an additional remark at this time. It seems to me we are following a rather cross pattern, like a pair of mules pulling in opposite directions. Here we are apparently going to throw the door wide open for the small package sales and anybody can get a license without restriction. Then we turn around and say, "We will give you so many distributors to the county." That does not make sense to me, and for that reason this bill should be recommitted.

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control.

On the question,

Will the House agree to the motion?

Mr. WATERHOUSE. Mr. Speaker, I object and oppose this motion to recommit. I think we have had plenty of discussion on the bill. It would be just as well to vote on the bill, and if it fails, it fails. If it does not fail, it does not. I would ask Mr. Tompkins if he would withdraw his motion and let a roll call decide as to whether or not the Members want or do not want this bill.

Mr. TOMPKINS. Mr. Speaker, I prefer to have the motion to recommit stand or fall.

On the question recurring,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair is unable to decide. Whereupon, a division was called for, 94 Members voting in the affirmative, and 52 in the negative, the question was determined in the affirmative and the motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOK asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILL DROPPED FROM CALENDAR

Mr. DAVID P. REESE. Mr. Speaker, I move that House Bill No. 904, Printer's No. 845, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (1) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" including services of industrial insurance agents within the definition of employment

on page 3 of today's calendar, bills on second reading, be dropped from the calendar.

The motion was agreed to.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 33.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

SENATE BILL No. 41.

An Act to further amend section eight of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" increasing the penalties for violations thereof.

SENATE BILL No. 459.

An Act to amend subsection B of section one thousand one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further limiting the merger consolidation or conversion of building and loan associations in certain cases.

SENATE BILL No. 479.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts, page fifty-five), entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings, for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap, for post-war repairs to monuments in France and Belgium, and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation"; by reducing the amount appropriated by said act

SENATE BILL No. 593.

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for

their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

SENATE BILL No. 714.

An Act to further amend section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School"

SENATE BILL No. 807.

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding sub-section (d) thereto, providing for salaries for appointed members of the Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

A meeting of the Republican Caucus of the Philadelphia delegation in room 324 Friday, June 13, at 12:15 p. m.

ADJOURNMENT

Mr. ANDREWS. Mr. Speaker, I move that this House do now adjourn until Friday, June 13, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 11:59 p. m. EST) the House adjourned.



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